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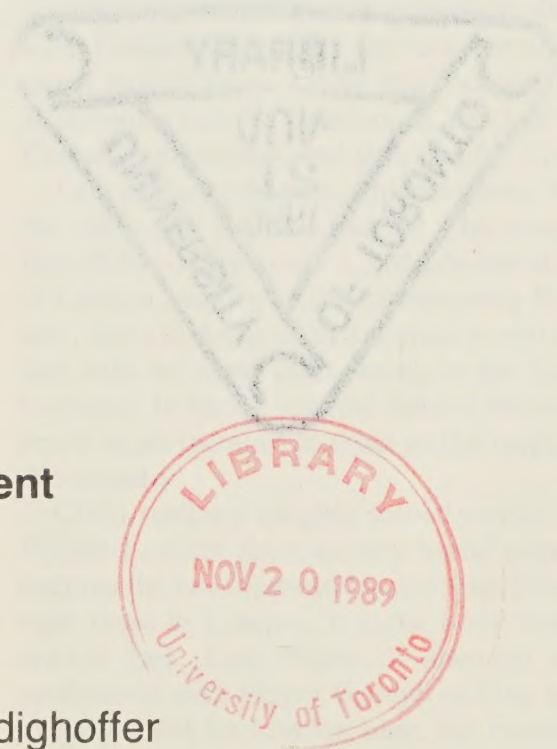
Official Report of Debates

Legislative Assembly of Ontario

Second Session, 34th Parliament
Thursday 9 November 1989

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Clerk of the House: Claude L. DesRosiers

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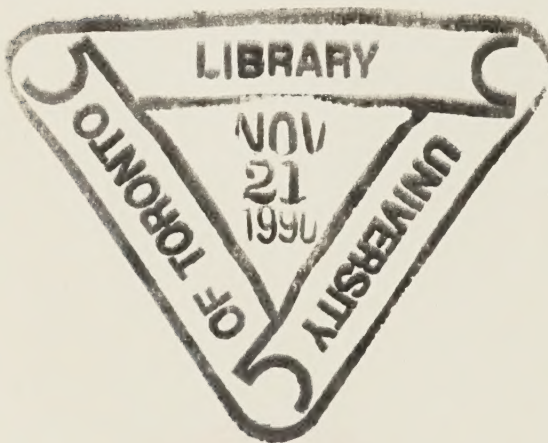




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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 9 November 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

CANADIAN FORCES BASE

Mr Reycraft moved resolution 30:

That, in the opinion of this House, recognizing that the federal government's decision to close down the Canadian Forces Base in London, Ontario, will result in a significant loss of employment and dislocation of individuals and families in the community; and further recognizing that there is no significant cost-saving in closing down the base; therefore, the government of Ontario should urge the government of Canada to immediately reconsider its decision.

Mr Reycraft: I want to begin my remarks this morning by providing some context for the resolution. Canadian Forces Base London, for those who are unfamiliar with it, is a military base that covers some 80 acres inside the city of London. For a long, long time, the base was known as Wolseley Barracks, but in an era that provided us with Air Canada in place of Trans-Canada Airlines, that gave us Canada Post, that turned the Department of the Environment into Environment Canada, the armed forces bases all became known as CFBs, and in this case, CFB London.

It is rather interesting that while the federal Liberals under the leadership of Pierre Trudeau seemed intent on renaming everything that was distinctively Canadian, the Conservatives under the leadership of Brian Mulroney now seem intent on eliminating those very same things. But that is probably another debate that is best left to another day.

Wolseley Barracks, or CFB London, has existed in London since 1883. For all that time, the base has been the permanent home of the first battalion of the Royal Canadian Regiment, and the first RCR is the oldest regular force infantry in Canada. It has been part of Wolseley Barracks since the base was established 106 years ago.

Currently at the base, there are some 866 regular forces military personnel. The base also employs some 353 civilians. In addition to that,

Canadian Forces Base London also serves as a training centre for 1,300 reserve forces who make up the militia unit that also calls Wolseley Barracks its home.

In the federal budget of this year, Michael Wilson announced that Canadian Forces Base London would be closed and that the first RCR would be moved to CFB Petawawa in Renfrew county and that the rationale for closing the base was based on the fact that he believed it would reduce expenditures for the federal government and save money for the taxpayers of Canada. My resolution asks the government of Canada to reconsider that decision to close the base and to do so immediately.

An observer might easily conclude that a resolution like this one is simply based on a parochial interest, that it is a kind of not-in-my-backyard reaction in reverse and that it is just a local reaction to a federal government decision strictly based on local concerns. But I want to assure this House that while I am genuinely concerned about the local impact of the closing of CFB London, I am also very concerned about a much broader issue. I think this decision, while it is certainly bad for London, is also bad for the Canadian taxpayers, and thus bad for Canada.

I am bringing this resolution forward because the closing of the base and the relocation of the first RCR will take over 1,200 jobs out of the city of London and over 2,000 people away from that city, and it is doing all that at great inconvenience and with no significant saving to the Canadian taxpayer. In fact, I suggest that the decision will result in an increase in costs to the taxpayers of this country.

CFB London is a highly valued part of the city. Within London there is very broad support for keeping the base open and keeping the first RCRs right there in London. It is the home they have always had. Last Friday, I attended a press conference with Mayor Gosnell and the member of Parliament for London East, Joe Fontana. Mr Fontana was presented at that press conference with a petition bearing some 5,000 names by Jock Shields, who has been the chairman of the Help Save CFB London Committee. That petition was neither the first nor the largest that Mr Fontana has received. Indeed, many, many

hundreds of Londoners have signed petitions calling for a reconsideration of the decision. Both Mr Fontana and Mayor Gosnell have clearly and frequently expressed their unconditional support for keeping CFB London open, not just because it is a bad decision for the city but because, like me, they are convinced it does not save tax dollars. It is a bad decision for Canada.

The member of the Legislative Assembly for London Centre and the Premier (Mr Peterson) recently met with Mr Shields and others of the save-the-base committee. After the meeting, the Premier was quoted in the London Free Press as saying this: "I'm not in favour of what they're doing.... No one has identified any particular major cost savings coming out of this move."

Mr Wildman: Is he going to raise it at the first minister's conference?

Mr Reycraft: The point I am making is that there is very broad support for keeping the base open within the city of London. Indeed, even the peace activists in this country are unhappy about the decision to close the base. Just two weeks ago, the national chairman of Ploughshares Canada spoke against the CFB closure when he was doing an interview on national television with the deputy mayor of London, Jack Burghart. The national chairman referred to the foolhardy action that the federal government is taking in closing CFB London and armed forces bases right across Canada.

1010

My resolution is based on really three arguments. First of all, I believe that while the federal government argues that closing the base is necessary to reduce the deficit and is a cost-cutting measure, the relocation will not save money at all. It will in fact cost money to relocate the troops, and that cost will more than negate any savings.

The second point I will make this morning is that while the federal government has said that the reserve forces, the militia at CFB London, who number some 1,300, are to remain in London despite the closure, the reality is that without the equipment and the training and the expertise that can be provided by the regular services personnel from the first RCR, the role of the militia in London will be reduced significantly.

The third point I want to make this morning is that the move will also have tremendous regional economic impact. It will result in a loss of 1,219 jobs and a loss of some \$70 million to the local economy.

Mr Wildman: Just rich, fat cats come from there.

Mr Reycraft: I will make the point that London is not the rich, fat cat city that most people seem to think it is. In fact, if you look at median incomes, both Petawawa township and the village of Petawawa have median incomes that exceed those in the city of London and those in Middlesex county. The closure of CFB London and the relocation of the troops to Petawawa simply cannot be justified.

The federal government has predicted that by closing the base it will save an estimated \$9.2 million per year and that there will be an overall net savings of \$164 million over 15 years. Time is far too limited this morning to go through a comprehensive analysis of the federal government's projected savings, but I do want to say that, quite simply, it has done two things. It has overestimated the cost-reduction that will result from closing CFB London and it has underestimated the relocation of the troops. It has underestimated that relocation at both ends. It has underestimated what it will cost in terms of unemployment insurance payments and in terms of retraining at the London end of the relocation, and even worse, it has grossly underestimated what it will cost to house and to service the increased population at Petawawa.

We have been in frequent contact with officials in the Petawawa area, and the indications there are very clearly that the water-servicing facilities, the sanitary-sewage disposal facilities and the educational system in the area are simply not, at this point, adequate to be able to handle this increase in population. Providing those will result in an enormous cost that will far offset any savings.

I want to conclude my remarks at this point. I look forward to the comments that my colleagues will make on this resolution.

Mr Wildman: I think it is most appropriate that we are debating this matter in the Legislature this morning, just before the weekend of Remembrance Day. The RCR has a long tradition, as was indicated by my colleague, a tradition that many people will be thinking about this weekend, in service to this country and to protection of the freedoms that we hold dear here in this Legislature and throughout Ontario and Canada.

I must say that I agree with the presenter of the resolution in that, in my view, this is being penny wise and pound foolish on the part of the federal government. To move the base from London to Petawawa has not been shown at all to save

significant amounts of money, while at the same time, it is going to inevitably produce enormous dislocation.

I think it is ironic that the Progressive Conservative federal government, which claims to be in favour of strengthening our armed forces and has attacked my party and the Liberal Party as being unprepared to put resources into the armed forces, into upgrading the capabilities of the armed forces, would be taking the moves it is now taking, not just in London but across Canada, with regard to a number of military bases.

I think it is also ironic that at the same time as the federal Conservatives are spending enormous amounts of money to change the uniform of the armed forces—a move that is supported by many because of the view that the previous government, when it unified the forces and brought in the new uniform, was denying traditions that were important to the military, but which is costing an enormous amount of money—this is being done by a government that says it is committed to upgrading the armed forces. It is spending enormous amounts of money on uniforms, on textiles, while our armed forces are the laughing stock of the western alliance with regard to equipment and numbers.

I think it really belies the words of the Prime Minister of this country when he says he is committed to a strong defence force for this nation and a strong role in the North Atlantic Treaty Organization and the North American Air Defence Command.

I think it is interesting that my colleague should mention that his colleague from London, the Premier of this province, is quoted as being opposed to this move by the federal government. When he said that, I could not help but interject and ask whether the Premier was going to raise this matter at the first ministers' conference. His brother Liberal Premier from Prince Edward Island is committed to raising the matter of the closing and downgrading of the base at Summerside, Prince Edward Island, at the first ministers' conference. If the Premier of this province is as committed as apparently he says he is to preservation of the base in his own home town, surely he is going to raise this matter with the Prime Minister and the other premiers during the conference that is now going on.

If, however, the Premier of this province does not raise this matter with the Prime Minister and the other premiers, does that indicate he is not really committed to the preservation of the base in London? Does that really indicate he is going

to put more than just words but he is actually going to bat, not just for this province but for his own constituency, to protect the jobs that are important because of the base in London?

I understand Mr Ghiz, the Premier of Prince Edward Island, has stated that if the issues of Meech Lake are reopened at this first ministers' conference, he intends to raise the issue of Summerside as part of the bargaining chip in the Meech Lake accord discussions. I am a little surprised at that. I do not quite see the connection between the downgrading of certain military bases in this country and the negotiation of a Constitution for this country. But obviously the Liberal Premier of Prince Edward Island sees the connection, just as in the past, I suppose, premiers of certain provinces have seen connections between frigates and constitutions. Then again, that was a Conservative Premier, was not?

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However, if Ontario's Premier is as committed to London and to the CFB London as the Premier of Prince Edward Island is to CFB Summerside, I think we will see reports and we will see on television the serious concerns of the Premier being raised by the Prime Minister during that conference.

I would be most disappointed if the Premier of this province did not make his views on this matter known more forcefully to the Prime Minister of Canada. If, for some reason, he does not raise it, I do not think it would be fair to say that it somehow slipped his mind because, after all, he not only is the Premier of the province but he represents the city of London in this House.

I suppose he might accept the argument, and I would have a hard time disagreeing, that the closure of the London base really is not central to the Meech Lake discussions, but the Prime Minister of this country has said that this conference is not really about Meech Lake, this conference is about the economy of this country. Surely the closure of a base in London is about the economy of London, so it would certainly fit into that context and fit into that discussion to say, "We are opposed to the loss of jobs in London, Ontario, because of the ill-advised policy of the federal government."

I expect the Premier to make that position clear when he is discussing economic questions with the Prime Minister of Canada. If he does not do that, he is failing his responsibility not only to the province of Ontario, but to the RCR, to the veterans of this province and to his own community of London.

I hope I am right in expecting the Premier to raise this issue in Ottawa. I hope that is the case. If by some chance it does not happen and if it is not public, if it is not on television for everyone in Ontario, in Canada and in London to see, then we will know that the Prime Minister of this country is not being informed by the Premier of this province about the serious concerns held by his colleague, his other colleagues in London and the people of London about this policy of downgrading the base in their home town.

I understand that the premiers and the Prime Minister had dinner last night and that they spoke at great length to one another. I heard descriptions on radio this morning about the language that was used in that discussion. But I understand it was the Liberal Premier of Newfoundland who did most of the talking at that meeting, that he spoke about 40 per cent of the time and that these discussions were about Meech Lake.

Again we get back to Meech Lake—the very topic that the Prime Minister of this country says is not the main subject of the discussions at the conference. Certainly the conference, which is supposed to deal with the economy, as Prime Minister Mulroney has made so clear, is a tremendous opportunity for the Premier of Ontario to fight for the people of his own community and to fight against the downgrading of the base in London.

As I said earlier, it is certainly most appropriate that we are debating this matter in this House just before Remembrance Day. I take very seriously the feelings that I know most veterans must have when they think about the sacrifice made by their confrères in both world wars and the traditions that the RCR have in London and how they are disappointed in the federal Conservatives' failure to live up to the rhetoric they used prior to the second-to-last federal election when the Conservatives attacked the Liberals and said it was time to strengthen the armed forces.

They went on at great length about the lack of modern equipment, the understaffing of the armed forces, the need to upgrade our commitment to the North Atlantic Treaty Organization and the North American Air Defence Command and the need to be able to guard our shores adequately rather than being dependent on other nations for our own protection. But what have they done since? The first thing they did was to discontinue our commitment under NATO to Norway and then they limited our commitment in West Germany.

Maybe it is a legitimate thing in terms of overall defence policy to say that Europe today,

particularly with the changes that are taking place in eastern Europe, is strong enough to handle its own defence, but surely there are few in this House who would disagree with the view that it is the responsibility of Canada, in conjunction with its allies, of course, to protect Canada and to have a force that is credible and can handle the responsibilities not just of military protection, but things such as search and rescue and emergency measures in terms of natural disasters and the need for assistance to help find people who have been lost in the bush and so on. Surely it is incumbent upon this country to meet its own obligations.

I say that we were not told the whole truth, quite literally—I am being as careful as I can—by the Prime Minister of this country when he campaigned and said he was going to strengthen the armed forces. His record since then has been the complete opposite and the major commitment that has been made by the federal government to the armed forces of this nation is in terms of uniforms.

Uniforms are nice; people tend to look pretty—you look very nice in yours, Mr Speaker—but they do not do much to strengthen the armed forces. They may help morale, I will admit that. They may, indeed, help morale. I know your morale is always very high, Mr Speaker, it has to be to carry out your functions in this House, which I must say you do with aplomb.

However, I will conclude by saying that if the federal Tories have failed to live up to their commitment to the armed forces of this nation and are closing down bases across the country, including the base in London, and transferring, consolidating and downgrading the armed forces bases across this nation with the justification that this is being done because we need to save money, all I can say is that saving money is not even being served in this case. There must be some other reason.

I want to also conclude by saying that I hope, trust and expect the Premier of this province to meet his obligation by raising this matter with the Prime Minister at the first ministers' conference.

Mrs Cunningham: I appreciate the opportunity that the member for Middlesex (Mr Reyecraft) has provided us to speak to this most important issue in the House. I would like to say right from the onset that I arrived late and did not hear the member's comments, I apologize for that, and when my comments are concluded I will be leaving to go into the standing committee on finance and economic affairs, which is investigating Bills 46 and 47. For the members

who have travelled so far, I truly apologize, but our time here is tremendously limited and those are the tax bills that have to do with OHIP.

1030

I have never avoided this issue at all. In fact, I was looking at the comments I did make upon first glance, which I have discussed with Mr Shields and Colonel Lawson, and I have no problem at all in relooking at the position, given the fact that at the time all of us thought this was one of the major cost-saving efforts on behalf of the federal government to look at some kind of reduction of the tremendous debt that we have in this country and in fact in this province and one that we are concerned about in every way possible, because we are passing on these tremendous liabilities to our young people. I know the save-the-base committee is appreciative of this opportunity for all of us to take a look at the base and what it has contributed to London in the past and what it can contribute to London in the future.

I especially appreciate the comments of the member for Algoma (Mr Wildman). I thank him for his support on this issue and I too am very much concerned about the lack of leadership the Premier of this province has given. We have not seen him actively involved in any statements. As a matter of fact, I object this morning; all of us have had two weeks' lead time and we do not have the Premier here to speak to it. Others have had to rearrange their time to be here. I think it is an extremely important issue that affects the constituency he represents and I share the concerns of the member for Algoma.

Mr Wildman: On a point of order, Mr Speaker: I do not want to take the member's time because I know this is important in her own community, but to be fair, the Premier of the province is at the first ministers' conference.

The Deputy Speaker: That is a point of information.

Mrs Cunningham: I am aware of that and I would have thought then, since the first ministers' conference had been planned with a lot of lead time, that perhaps this debate could have been arranged on another day and that would have made good sense. That was the intent of my statement.

I want to be very clear. This is a motion that could have been put at any time. We are looking down the road to a closure of a base. The long-term plan is 1992. I am glad we are working on it now and my comments relate to the importance of that particular base in the city of

London and I will stand on those comments. This is a motion that could have been presented when all members from London could have been here. It is presented today and the Premier is not here.

Mrs E. J. Smith: On a point of order, Mr Speaker: The Premier would not be speaking on a private member's bill, regardless of the nature of the bill.

The Deputy Speaker: Thank you for the point of information. The member may continue.

Mrs Cunningham: There probably could have been another opportunity and a process for all members representing the city of London and Middlesex and anyone else to make the same statements that are being made in this House.

You should note, Mr Speaker, that the member for Middlesex has one issue in the way of a private member's statement in this session. That is my understanding. He may, if he is extremely important, have two. That information was received from the clerk's office. I think it is extremely important to know, just because I think there is more to this. This is politics that we are talking about this morning, and I am very aware of it. There are other issues on the public agenda today and there could have been a better time when we could have all been together at Queen's Park and made this statement on behalf of the province of Ontario. That is my point and I do not want to belabour it.

I want to thank the save-the-base committee for its excellent brief, as well as the mayor of London for his brief. I think it is important to discuss something that is going to affect the quality of life in our city, the jobs of our citizens, the history and the future of the military in southwestern Ontario. It is an important issue. I commend the save-the-base committee and I commend anyone who has been involved in this particular process. I think the 1987 white paper regarding the revitalization of the reserve forces or the total force concept was most valuable to me. I have had opportunities to discuss it with people at the federal level and certainly with people in my own community and I support the importance of co-location between regular and reserve forces whenever possible.

I have been extremely involved over the years in the activities at the base as a member of the board of education and we have supported the kind of training that our young people have received and that is so necessary, not only to our own city and our community, but to Canada as a whole.

I would very much fear for the loss of that opportunity for young people as well as the

others who have been very much brought to the public attention because of this debate. I think it is a wonderful opportunity for the citizens of what we call the garrison city of London to talk about the future of this Canadian Forces Base because of the kinds of promises that have been made in the past that have not been kept, and certainly because of the slow deterioration of that particular base and services to our city.

The issue for me, personally, right now has to do with the results of such a decision, the family disruption the loss of jobs it would cause. These issues are important to all of us who represent the public, as you well know, Mr Speaker, and I have been in contact with many citizens.

Good information is the only hope we have as we look at tough decisions that have to be made in southwestern Ontario, in Ontario and in Canada as a whole. I guess the greatest disappointment for me is that I do not think we do have good information to support this particular action on behalf of the federal government. I have updated information, and the facts I have received from the minister in Ottawa do not coincide with the information I have been given from either the city of London or the save-the-base committee. In my position, I am not going to take a strong stand on those facts because I think they have to be reworked and I think there needs to be a lot of opportunity for consultation with the federal government on this.

Everybody knows that this motion is for the minister and the government of Canada to reconsider the action. During that process of reconsideration, which I think should go on over the next few weeks and months and not be dragged out into the next year, I would hope, if at all possible, that I could play a meaningful role. We do have time for this reconsideration and I think if the province of Ontario can be of some assistance I would like to help.

I know the federal Minister of National Defence, the Honourable William McKnight, will agree with me that this is certainly a fair issue for reconsideration and that the arguments that were put forth by the save-the-base committee are responsible and reasonable.

The member for Middlesex has said that is not what the minister is telling him. I would hope that the member for Middlesex and the Premier will use their considerable power and their responsibility to open up these negotiations and have meaningful discussions, because I do not think two sides in this argument will ever solve the problem.

I have been involved in representing the public over a number of years, some 16, in the city of London, and the only time I have had any meaningful resolution to any problem has been the time when we have sat down, often outside of the public eye, and come to some kind of sensible, responsible conclusions. If I have ever seen an issue where that has not happened, it is this one and there are more opportunities.

I am sorry that it has to be politicized in this way. I hope I will be able to be involved. I think the group from London dedicated to saving the base should be commended. I would like to thank them for their efforts. I hope that from time to time they will meet with me. I will do whatever I can to discuss this resolution with the minister, the Honourable William McKnight. It is true that I have not done that in the past. I make no bones about it. I thought the negotiations or the discussions were proceeding. I see with this motion that at least the member for Middlesex feels there ought to be more support for those discussions and I am happy to be part of them.

It would be very difficult for me to say anything but positive things about this resolution. My great regret is that the timing was not such that the Premier could be here in this House to prove to all of us whether it is appropriate or not or in another arena, but this is an important issue for him as well.

I thank the members for the opportunity. I hope that we will come to a resolution. I will certainly plan a very active role in those discussions, Mr Speaker. Thank you very much. I will be supporting the resolution.

1040

The Acting Speaker (Mr Cureatz): Hearing the debate on private member's notice of motion 30, the member for Middlesex, we thank the honourable member for London North (Mrs Cunningham). In continuation of rotation, the honourable member for London South.

Mrs E. J. Smith: It is my pleasure to speak to this resolution. My colleagues and I have each agreed to approach this subject from a somewhat different point of view. As such, I am allowed to present my personal position that indeed I am an army brat. For those who do not know what this means and might think it refers to my present behaviour, it in fact means that I am the child of a permanent force army officer, and indeed spent many of my years living in army barracks.

Let me say, Mr Speaker, in this esteemed House that I am very proud of my father, who was indeed one of the youngest, if not the youngest, colonels in the Great War and who was

one of the most decorated soldiers in that way—in a war, in fact, when fewer decorations were given out. As you would assume, I was raised in a home where Canadianism was part of our daily bread; where patriotism and duty to the country were stressed and demonstrated.

I well understand that a nation cannot assume that it has a hold on peace and security or on its right to the democratic process. They indeed are not inherited gratis, but they must be constantly earned. They cannot be handed down from generation to generation, but each generation must be its own watchdog. Indeed, the armed forces are only a part of this picture. We must teach the values of democracy in our homes; in our education system, we must sharpen the wits of our young people to make sure that democracy is never undermined in this country; and in society at large we must continue to pass laws that embody the meaning and intent of the democratic system.

But what are laws? How can they be interpreted if we do not put in place at the same time those people and those forces to make sure that the laws have meaning? Is there anyone in this House who is so naïve as to assume that we could have civil law without courts and police forces? As we respect these laws, so indeed we must pay the price for them—in past generations in lives, in this generation in dollars and cents.

If we mean it when we say that we must protect property, safety, and enforce the laws, then we have to put our will into that meaning, and so as well on the international scene. Canada has a proud role of defending democracy in two wars, of fighting back with others fascism in Europe and imperialism in the Pacific. We helped in those, we continued after the wars to be very active in many peace-keeping operations around this world and we remain ready to serve the United Nations in this peace-keeping, and indeed in that very important role of helping to supervise and enforce free elections in countries that are newly coming into democracy.

Canadian residents, including the residents of Ontario, do not wish to see this role of which we are proud diminished in any way. It is jingoism to be proud of Canada's role? Is it extravagance to keep up this important peace-keeping operation? My colleague, the member for Middlesex, has demonstrated that indeed we save no money by the closing of such barracks as Wolseley, and indeed, even if this were not so, the people of Ontario and the people of Canada would not support this.

The role of the armed forces in the enforcement of international law must remain to stand ready and to be there when they are called upon, but the forces serve two other roles. In the case of London, which is an inland community, I would say this is especially true of the army. They must be in our midst where we know they can serve us in any emergencies or disasters that might occur within our communities.

Second and more important, they, like the police, must be a presence in our midst that reminds us at all times and makes us aware of our responsibility and of our pride. How is this sense of awareness preserved if we put them instead in isolated areas consolidated away by themselves at arm's length from those they serve? This does not give the message that we need in a democracy, when we set them apart and when we let them represent themselves and their expertise in more isolated settings. No, they need to be in our midst representing our will, pride and responsibility both nationally and internationally.

Across this nation communities have been proud of their regiments of which they have a long history in which they have made great sacrifice. My father was part of the Lord Strathcona's Horse and later involved as district officer commanding in London with the Royal Canadian Regiment. But we have others across this country, the Van Doos in Quebec, the Princess Pats, the Black Watch, the Toronto Scottish, the Perth, the Essex and Kent, only a few that are household words but which have served to be the backbone of our patriotism and our connection to our obligations.

This weekend across this country and in Ontario communities people will come out, including their children, to honour veterans, to remember our dead and to recommit ourselves. I am always amazed at how moved I am and how moved these people are as they come to honour these veterans. They own them, they identify with them and they do not wish to lose them in their midst. London, like many other Canadians, urges the federal government to reconsider its present move and to leave this army base in London.

Mr Villeneuve: I too rise for the very few moments left for my party to support the member for Middlesex, my friend and colleague. We come from ridings that are very similar and certainly I support the concept that, yes, one is always concerned when changes are made such as withdrawing Canadian Forces Base London from a long-established position in the community. I certainly support the member for London

South in her great speech about Remembrance Day. I think we all support that and we are certainly all in favour.

However, I have had a number of private members' bills come to this Legislature and they never go anywhere. We talk for a whole hour here and whether they are accepted or rejected they go nowhere. I am afraid this is what is happening here. The concern I have is that the member for Middlesex brings this issue—a very important issue—to the Legislature in private members' hour when he knows full well that not very much of anything will occur following a vote or a unanimous support of his resolution.

I can recall back in a political era prior to this government when Bill Davis represented Brampton. He represented Brampton very well. I do not remember any private members having to get up to bring forth a message to try to support something that was happening in Brampton, so there is something rather strange. A communication is lacking or there is lack of confidence in the Premier when right in his backyard a member has to bring forth to this Legislature a private member's bill trying to get the attention of the Premier of this province to do something. It is somewhat strange.

The late John Robarts represented a riding in the city of London. Do members recall any private members' bills coming from the back benches to support something that was happening or not happening in the London area?

Mr Epp: Do you support it or don't you?

Mr Villeneuve: I sure do, but it is somewhat strange to the member who just interjected that this has to come from the back benches. A former Solicitor General also, of course, supports it.

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My colleague and friend the member for London North very much supports it. Sometimes I even think that there are political overtones to a private member's bill coming in this fashion, political overtones of the most crass political kind. That is my concern. It is somewhat strange that the Premier in his backyard has to be reminded by the member for Middlesex that there is going to be a problem here. The mayor of the city of London is very much on side and very active in the save-the-base committee, and I commend him for that.

The member for Middlesex, coming from a rural riding, I think, could have supported some things that are a lot—he has to build on his strengths. I am a farmer; he is coming from a professional teacher's position. I know his family is very much in agriculture. I go back to

the 4-H days when I met judging teams from across the province and Middlesex was very much there. In the Junior Farmer days, at the Lake Couchiching leadership training camp, Middlesex was always there. Has the member been to his local grain elevator lately? They cannot go in; they are all jammed.

Why not get something going that could clean the air and be positive for agriculture? Build on his strengths. We do not want to see the base in London closed, of course not, but using politics to do what this government does so well—putting the blame at the board-of-education level, the municipal level, the federal level but not shouldering its responsibilities—

We support this bill.

Mr Tatham: I rise in support of the member for Middlesex's resolution. I will start off with Tommy:

I went into a public house to get a pint of beer.

The publican he up an' says, 'We serve no Redcoats here.'

The girls behind the bar, they laughed an' giggled fit to die.

I outs into the street again an' to myself, says I,

'Oh, it's Tommy this, an' Tommy that, an'

'Tommy go away';

But it's 'Thank you, Mr Atkins,' when the band begins to play.

The band begins to play, my boys, the band begins to play.

Oh, it's 'Thank you, Mr Atkins,' when the band begins to play.

Some people would say: "Oh, that is Rudyard Kipling's verse. It is jingoistic or worse," but remember Sputnik, the Soviet satellite and, "One small step for man, one giant leap for mankind." That was just 20 years ago and said by Neil Armstrong, the first man to walk on the moon.

The world is the same physical size, however, with instant communication satellites and jet aircraft, we have telescoped travel time and information time. What is Canada's role in the world of the 1990s and the 21st century? What can we contribute? What have we done in the past? How many nations have paid attention to the commandment that thou shalt not kill?

Let's look at the record. The year was 1609 and the place the shore of Lake Champlain. A matchlock musket touched off with a smouldering rope wick set ablaze a guerrilla war which continued for 80 years and almost drove the first settlers out of the St Lawrence valley. Time will not permit to recall all the skirmishes encountered through the 17th and 18th centuries in Canada.

Coming to the last great contest for Canada, the War of 1812 to 1814, the official military historian, C. P. Stacey, says that the chief credit for the saving of Canada in 1812 was due to British soldiers. It was scientifically defended by men trained for the job. The regulars did more than supply the leadership; they usually did the lion's share of the job.

As Damon Runyon said, "The race isn't always to the swift nor the battle to the strong, but that's the way to bet."

John Terraine, in his book *The Right of the Lion*, said that the British people collectively, leaders and led, committed between the first and second World Wars the cardinal error: they made a picture of future wars.

"A general should never paint pictures." This was said by Napoléon. He meant not only generals, but it also applies to political leaders. We should never try to force facts into preconceived patterns.

Lord Dowding's doctrine "the fear of the fighter" was demonstrated and successfully so during the summer of 1940, the Battle of Britain. It was won by the tightest discipline of all ranks, from the air chief marshal down.

After the capitulation of the Belgians, it was intensive training, the discipline and leadership of General Montgomery that extricated his division from its position at Rabat. Monty had to move his division into transport across the front of an enemy attack without lights, over 25 miles of minor roads and then get his troops dug in by dawn in an unfamiliar sector, to meet the overwhelming German attack. They were on their way to Dunkirk.

Discipline and training have gone on at Wolseley barracks for over 100 years. Ted Farmer enlisted in the Royal Canadian Regiment through Wolseley barracks in 1938 at the age of 15; boy soldier, pay 50 cents a day. Before becoming a regular soldier, he had achieved the princely sum of \$21.70 a month. Ernie Bond enlisted at Wolseley barracks. He served overseas with the 62nd light anti-aircraft, Bofors, as did many other thousands of young men and women from across western Ontario.

In Oxford county we have splendid cadet corps—army cadets in Ingersoll and Woodstock, sea cadets in Woodstock and air cadets in Tillsonburg. We are proud of the cadet corps, the sponsors and the cadets. The young people take part and learn self-discipline. The people in the counties around Wolseley barracks have looked to the personnel from Wolseley for professional leadership, the Perths, the Oxford Rifles, the

Elgins and others. Our own county regiment, the Oxford Rifles, is now part of the fourth battalion of the RCRs, London and Oxford Fusiliers.

Let me share the fact that, in zone B2, that is Oxford, of the Royal Canadian Legion, we have eight branches, Norwich—Tillsonburg, Ingersoll, Beachville, Thamesford, Embro, Tavistock and Woodstock—with approximately 3,500 members. Our Oxford county naval veterans' association has over 600 members, and on Remembrance Day, wreaths are placed not only there but also at memorials at Chesterfield, Plattsville and Dixons Corners. Our peaceful, rural Oxford scene belies the fact that many thousands of young men and women enlisted for service during the First World War, the Second World War and the Korean War.

What will Canada's role be? How can we help in this world with an exploding population? Perhaps as peacekeepers, similar to our activities in Cyprus, but we need professional leadership here in military district number 1, otherwise we will be abdicating our responsibility to a tradition that goes back in Oxford to 1798.

Let us support this resolution. To conclude with some more of Kipling:

"You talk of better food for us, an schools, an fires an all.

We'll wait for extra rations if you treat us rational.

Don't mess about the cookroom slops, but prove it to our face,

The widow's uniform is not the soldier man's disgrace.

For it's Tommy this, and Tommy that, an' 'Chuck him out, the brute!'

But it's 'Saviour of 'is country' when the guns begin to shoot.

An' it's Tommy this, an' Tommy that, an' everything you please,

An' Tommy ain't a bloomin' fool. You bet that Tommy sees."

Mr Reycraft: I believe that I am allowed to use the balance of my caucus's time, as well as the two minutes that are available to me as the mover of the motion. I want to thank my colleagues for their comments this morning. I am pleased that all five of those who spoke are going to be supporting the resolution. I appreciate the support from the member for Algoma. I want to assure him that the Premier is fully committed to opposing the closure of this base and I am sure that over the course of his few days in Ottawa this week, attending the first ministers' conference, that he will indeed have an opportunity to present

his views to the Prime Minister of this country. I only hope the Prime Minister will listen to them.

I appreciate the support from the members of the Progressive Conservative caucus. I regret very much the approach taken by the member for London North. I should have known, when she criticized the Premier for his absence here this morning, that the Premier is where he should be on this day, in Ottawa, at that first ministers' conference, trying very hard to address what is quickly developing into a constitutional crisis in this country, and as well, presenting the views of this province with respect to the goods and services tax, a tax that apparently nobody in Canada, save and except the members of the federal cabinet, seems to want.

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The member for Stormont, Dundas and Glengarry (Mr Villeneuve) expressed a view that private members' resolutions often did not seem to go anywhere. I want to assure him that I will be forwarding a copy of this resolution, along with a copy of the Hansard, to the four federal members who represent the city of London and Middlesex county; to the minister responsible, Mr McKnight; to the Minister of Finance, Mr Wilson, and to the Prime Minister of this country. If he would like to send a note along letting those officials know that this information is coming and adding his endorsement to keeping CFB London open and in London, I would be delighted to have that support.

Much has been said about the economic impact of the closing. Let me simply address that very briefly once again. In trying to justify the closure of the base on an economic argument, I believe that the government of Canada is perpetrating a hoax on the Canadian people. Closing the base and relocating the first RCR to Petawawa will not reduce the federal debt. Indeed, it will increase it.

I want to also express my concern for the militia. The militia has long been a presence in southwestern Ontario, and a militia, a reserve force is important to any community. It is important to the country. Without the presence of regular military forces at CFB London, I think the effectiveness of the militia there is going to be jeopardized as well. I think its future is placed in some jeopardy.

I want to at the very end express the extreme frustration that is being felt by all of the people in London and Middlesex about this proposed base closure. They have been trying to tell the government of Canada it is inappropriate.

Nobody seems to be listening. I beseech them to listen to what has been said today.

The Acting Speaker: This concludes this portion of the debate on ballot item 25, Mr Reycraft.

HIGHWAY TRAFFIC AMENDMENT ACT, 1989

Mr Breagh moved second reading of Bill 73, An Act to amend the Highway Traffic Act.

Mr Breagh: I think this is probably a most appropriate forum to introduce this notion of a licence for the operation of a boat. It is something that has been discussed in public at some length. I believe it now is apparent, to me at least, that the province of Ontario ought to take the lead in Canada in sorting out precisely how one would go about that.

A colleague of mine, the member for Simcoe East (Mr McLean), has introduced kind of a stand-alone bill which would provide a separate licence. In thinking through the matter, however, I thought that a better way was to take an existing statute, the one that we use for most other motor vehicles, and that is the Highway Traffic Act, and to simply add a classification to that which would be called perhaps a marine operator's licence. That would get us around the problem of creating a new bureaucracy. It would use an existing system for licensing that we now know and it would provide a nice broad legal framework on which you could base the laws that would cover boaters.

There are some difficulties with the bill and I think I would like to try to address them initially. There is a bit of a jurisdictional problem on the water. No one seems quite sure whether the waters of Canada are covered by the federal government, the provincial government, municipal governments, harbour commissions or whom. None the less, we have all understood that there is a need for some enforcement procedures. So outside the little lake where I operate, Lake Ontario, on the waters there will be on any given day an RCMP patrol boat out there, a patrol boat from the Ontario Provincial Police and a patrol boat from the region of Durham police. So notwithstanding the jurisdictional problems that might be there, police forces are aware that they do have an increasing and sometimes an alarming number of accidents occurring on the water and they need to patrol those waterways.

Some would argue, of course, that there is not enough enforcement, and that will be a problem. The moment you actually do put in a licensing

system and you have a legal framework, you will then raise people's expectations—quite rightly—about enforcement. But I believe we need to think this process through and this bill is the first step in that, in my view.

Like many people, I have been interesting in boating for some time, since I was a small kid and we used to run boats on a little lake called Beaver Lake. On a busy day, there would be maybe a dozen boats out there. The highest horsepower that anybody had when I was around was about a 25-horsepower Evinrude. There was not much danger, there was not much need to control the traffic on the lake, there was not as great a pollution problem as there is now. But I must say last year I got the bug again and I spent a very pleasant summer boating on Lake Ontario and the Bay of Quinte and the St Lawrence, and it is fun.

For those of us who are at an age where we would like to buy a cottage, the first thing you realize when you go shopping for cottages these days is that most of us cannot afford a cottage. Many of us would have thought that a boat is too expensive, and some of them certainly are. We all go to the boat shows. We get our soft-soled shoes on and we walk around the multimillion-dollar yachts. It does not take very long, and you do not have to be a genius, to figure out that on a member's salary here you are not going to be buying many yachts. After that, you begin to figure out that even if your grandmother left you the fortune and you could afford to buy the yacht, a 300-gallon fuel tank is something that is pretty expensive to fill up and you could not afford to operate it.

But if you shop around, as I did, you will find that there are smaller cruisers that are made here in Canada, very fine products equipped here in Canada, and you can afford those. You can in fact enjoy an afternoon on the lake, any of the lakes around Ontario, for about the same kind of money as it would cost you to take your family to the motion pictures for an afternoon. It is possible. You just reduce your sights a little bit and you can do it.

More and more people are turning to that, and that creates the problem I think we have to address now. If you come into the Toronto harbour on a bright, sunny afternoon, even in the middle of the week, it will soon become apparent to you that there ought to be some kind of licensing process at work here, because in the Toronto harbour you will see something that is a little unique but not that unusual. You will see industrial freighters moving through the eastern

gap, you will see pleasure craft of all sorts and sizes all over the place, you will see ferries working a regular schedule, you will see paddle-boats. Anything that will float is in that harbour on a given afternoon and in numbers that correspond to what you see every morning on the Don Valley Parkway.

The scary thought is that most of them, I hope, have had some boater training but very few of them will have much in the way of a licence requirement. If they are commercial operators, they require a licence. The Toronto Harbour Commissioners, on their own initiative, have taken up the cause and done a little licensing program of their own, but of course visiting cruisers do not necessarily have those licences.

One of the things that became apparent to me last year is that perhaps I should get a little refresher course and so I took the Canadian Power Squadron course put on by the Oshawa Power Squadron at Donevan Collegiate. It is a useful exercise in terms of boater education, learning the rules of the road for the waterways, learning a little bit about your boat and how it handles, a little bit about basic navigational skills, but I was struck by one thing that one of the instructors said to us one night.

He said this, and it has all come true unfortunately, "Some time at the beginning of the boating year, someone will not follow the proper procedures for refuelling a boat and the boat will explode and be completely destroyed and perhaps someone will lose his life," and that happened. He said, "Some time during the course of this boating year, a very experienced sailor will go out on Lake Ontario when it's a little rougher than it should be, be hit by a spar or a piece of wood, fall overboard into a very cold lake and die," and that happened.

He said, "Some time during the course of this boating year, someone will rent a boat he is unfamiliar with and that boat will sink and there will be loss of life involved in that," and that has happened. He said, "Some time during the course of this year, someone will rent a houseboat and not be sure of how to operate a houseboat and get in difficulty with it and there will be property damage and loss of life," and that too has happened.

He said, "Some time during the course of the year, someone will go out on the lake after the boating season is over with and get in trouble and we'll have to go out and rescue that person," and that happened just yesterday. A fellow took a 22-foot motorboat out on the lake. The motor conked out on him. He had some problems. The

rescue boat from Pickering had to come over to the Whitby harbour and pick him up off a buoy. The water in Lake Ontario at this time of the year is pretty chilly to get dumped into the lake. The rescue operation is pretty expensive to operate.

All of those things happened, and the tragedy of course is we know that. I think we all really know that there ought to be some licensing provisions, that there ought to be better enforcement on the waterways. That need is apparent on any holiday weekend, anywhere through the Trent-Severn, anywhere in the Muskokas, where anyone can see what is happening on the waterways of Ontario. So I think the problem is apparent to most of us.

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Many are reluctant to say, "Go to a licensing system," but the truth is you cannot send a police officer out there if there are not any laws to enforce. That is the basic problem. You cannot take away a licence if they do not need a licence in the first instance. The truth is if the kid next door at your cottage next summer hops in his father's new speedboat with 200 or 300 horsepower—you can now buy a production boat that will travel on the water at 65 to 70 miles an hour—if that kid jumps in that boat and rams your dock, it may cause a problem but it is not apparent that a law has been broken. You cannot take his licence away because he does not require a licence, and if he is of a particular age you probably cannot even sue him because he is not an adult. So I think it is time that we began to think about the process, the licensing process, the requirements.

I think it is also safe to say that if the public wants to, there are a multitude of power squadrons that offer educational and safety courses. There are high schools and community colleges that do the same thing. There are boating clubs and yacht clubs that do the same kind of thing. So it would not be hard to write a regulation that acknowledged the work that those people do in educating people in boating safety. It would not be hard to turn your mind to how one would do the licensing provision. This bill is an attempt to do that with a minimum of fuss and bother.

I think the overall question is the one that we should be asking ourselves. I heard Ontario's Solicitor General (Mr Offer) comment after yet another unfortunate boating tragedy this summer that yes, Ontario ought to think about licensing the people who operate boats. I think that is way overdue.

It is ridiculous that on my boat I have to have the boat registered, and it is; I have to have a licence for the VHF radio that is on the boat, and I do; I have to have a licence to operate the VHF radio that is on the boat, and I do. But I do not have to have a licence to operate the boat. That is silly. There is no question about it that there are boats that are worth a lot of money on the water all the time. People who operate those boats ought to be licensed.

Nobody I know wants to insist that you have a licence for some kid to take a canoe out on the lake, so I have attempted to put in here the same acknowledged cutoff point, that it would be 10 horsepower or more that required the licensing. I have attempted to put in the bill a provision that we want to teach our young people how to operate the boat safely, so the requirement is that someone on the boat has the licence and that anyone else on the boat can operate the boat. In the traditional sense of sea, the captain has the papers and there may be others on the crew who operate the vessel for a period of time.

I commend this bill to the members to think about because I think it is important that we begin this process. I will be interested in the debate that follows this morning.

Mrs Marland: I rise with pleasure this morning to support Bill 73, An Act to amend the Highway Traffic Act. It is rather surprising that boating regulations come under the Highway Traffic Act. However, they do. I, in supporting this bill, commend the member for Oshawa for his foresight in bringing forward legislation which is obviously long overdue.

It is an interesting aspect of our affluent society that we are concerned in a province the size of Ontario with the amount of water that is available in our province; that, in speaking of recreation, we are now faced with a situation of density of the operation of boats for recreational purposes on waters in Ontario, both lakes and rivers.

I think another spinoff from our affluent society and our increased standard of living today is we not only have people who are purchasing many more boats, many more powerful motorboats, but we also have a great number of people who are renting these kinds of boats. I think where we are dealing with someone who is renting a boat, perhaps we are dealing with an area where members of the public, who are also on those lakes and waterways, are even at greater risk because if somebody is renting, very often he does not have the interest in the protection of the boat itself.

It is the same as renting a car. When cars are rented, people are not as protective of them as they are of their own vehicles, and I certainly think it applies to boats as well. But also, people who rent boats generally do not have the opportunity to have the accumulative experience of operating boats on a regular basis. Therefore, to require all boat operators to be licensed, I think, as I said a moment ago, frankly is long overdue and it is basic common sense.

If we look at two uses of motorboats, we are looking first of all at transportation, and certainly people who operate boats for transportation have other licences that they have to comply with, some of which I will not repeat because the member for Oshawa has just outlined requirements to be able to be licensed to use certain equipment on boats of a certain size. Certainly the operators of transportation boats, cruise boats, tour boats of that size already have to meet certain licensing requirements.

But then the other kind of boat is recreation, and frankly I think it is a marvellous skill for young people to learn at an early age if they have that opportunity, but I also am very concerned about young people I see operating very powerful boats that even in a physical sense are beyond them.

I recognize that in this bill the member for Oshawa has been very careful not to address the subject of age. I also at this point want to give recognition to my own caucus colleague the member for Simcoe East. The member for Simcoe East introduced for first reading in May of this year his bill to legislate and control boating in Ontario. The bills are probably reasonably similar because they certainly have the same goal. The only difference is that the bill of the member for Simcoe East, I notice, proposed a horsepower of 25 horsepower and the bill of the member for Oshawa mentions 10 horsepower. Frankly, I prefer the 10-horsepower figure.

When we look at anyone operating a boat for recreational purposes we have to look at what it is he is doing. If they are touring around the lakes to visit their friends or go shopping or going out just purely to cruise, I happen to be someone who perhaps does not support the excessive speeds that now are available to these boats. Frankly, I do not think it is necessary for a boat to have 200- and 300-horsepower motors. That is another issue for another day, but I do not think it is necessary for a boat to be able to go 65 miles an hour.

But I can assure you that I have a tremendous concern when that boat is going 65 miles an hour with someone behind the wheel who in some cases cannot even see over the wheel because he is a very young person. Both in age and in a physical sense, they are very small. I think this presents a tremendous hazard and I think safe operation of these boats for licensed boat operators has got to come and it has to come very quickly.

When you see little seven- and eight-year-olds operating boats with 40- and 50-horsepower motors and you see them operating them at very high speeds for that size of boat and that size of individual—I realize I am targeting young people, but frankly this summer on the lakes I have noticed this newest type of boat, which is a little fibreglass two-seater boat with a 40- or 50-horsepower motor on the back. It is sort of the modern version of what we used to call the sea flea, which used to go like a bat out of you know where. People used to think that was fine, just stir up the water, stir up the environment with tremendous noise under the guise of recreation.

Frankly, primarily I support the operation of all boats safely, but I question why it is our society has found it necessary to keep adding more and more speed to recreational boating. I recognize we need ski boats because people like to waterski, including myself, but you need a boat to go 35 miles an hour to waterski, and maybe 40 miles an hour if you want to do it barefoot, which is not my category.

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Mr Breaugh: The images are really something here.

Mrs Marland: As the member for Oshawa says, he is enjoying the images, but I assure the member for Oshawa that I am not so far over the hill that I do not waterski any more.

That leads me to another subject, which I hope this government might take a look at through regulation, and that is the issue of jet skis. I think any of us who have been anywhere near recreational waters in this province in the last two or three years recognize that jet skis themselves can be a hazard, especially for people who are in the water swimming. Jet skis admittedly have a dead throttle or whatever the term is so that as soon as you let go of the throttle the jet ski dies, but while they are going they are very fast and powerful. They are a certain size; they are not as big as a boat, but they certainly are very hazardous to people who may be swimming in the water.

There should be some regulation for jet ski operators, I say to the member for Oshawa, as well for as boat operators in terms of boats with outboard motors.

We have the power squadron which is a marvellous opportunity for people who are serious boaters, and most serious boaters of large cabin cruisers and large cruise boats take a power squadron course. I am not suggesting that kind of requirement be mandated, but I certainly think power squadron instruction of some sort would be a great goal for this government to encourage operators of boats to take.

It is amazing when you are out trundling around—we have a comparatively small boat. After being on the lakes for 40 years and operating a boat, I think very safely, as I do insist the members of our family do—by the way, our children will tell you that when they were young, they were not allowed to take the large boat out. In fact, they hardly get the opportunity now because I feel that is our boat and they should provide their own.

We always felt that when the children were young and our friends and neighbours at the cottage operated in the same way, it was great for a young person to take out a little outboard with a five, six or seven horsepower motor and learn the skill and relationship of that boat and that motor to the water, to the weather, and most of all to other boat traffic. I am talking about 20 years ago when there was not the density of traffic there is today on the lakes. I think that the fact we now have the kind of density we do means the problem is extremely accelerated. We do not have the solution to that problem and the hazard that it poses today.

In closing, I will just say that there is a forward-thinking direction in this bill and I certainly hope the current Liberal government will heed the implications of not taking action in the interests of water safety. I feel people are put at risk by not even knowing common courtesy and the rules of the road, as it were, the rules of the water. We are very strict about obtaining motor vehicle driving licences. In fact, we have a minimum age of 16.

A motor vehicle is a death weapon in the wrong hands and not being operated properly. I suggest that the kind of high-powered boats we have available in Ontario today are equally potentially a death weapon in the hands of someone who does not respect what it is he or she is operating, does not know how to operate it or does not know the rule of water safety as far as

boating is concerned. I certainly hope this bill will be supported by all parties.

Mr Miller: It gives me a lot of pleasure to rise this morning and speak on Bill 73, but first of all I would like to just congratulate the member for Oshawa and the member for Durham East (Mr Cureatz), who is the Second Deputy Chair of the Committee of the Whole House. I think it is refreshing to have two members taking that position. I would like to think that things are working much more smoothly in the Legislature this session because of their leadership. Again, I would like to pay tribute to their work with regard to the House.

First of all, I would like to indicate to the member that I believe the bill he has brought forward is timely. Some comment was made this morning about private members' hour not being productive, but I feel it is productive and gives an opportunity to debate issues from all sides of the House on concerns that are so important to everyone in Ontario.

This bill that has been brought forth certainly is one that is timely. I know the member for Oshawa has a new cruise ship and we are pleased he is able to do that and take advantage of the recreation facilities we have in Ontario because, we do have a lot of water and we have a great tourist area. There is no reason why members of this Legislature and all members of the province of Ontario cannot take advantage of that, so we are pleased with that.

I understand this bill and its purpose, the licensing of individuals to operate motor boats in a manner similar to the licensing of drivers of road vehicles. I support the intent of Bill 73 to advance safety on the water, but I cannot support it in its present form for a number of reasons. This gives me, as the parliamentary assistant for the Ministry of Transportation of Ontario, an opportunity to present the government's position and to indicate to the Legislature what direction the government is taking.

The popularity of water-based recreation is growing rapidly, and I indicated that in the beginning. Ontario boaters are in a unique position to enjoy a vast resource and move across the water between three provinces, two countries and half a dozen states. We are very fortunate to have access to all those resources. The Trent-Severn waterway, the Rideau Canal and Georgian Bay and the Thirty Thousand Islands are renowned among boating enthusiasts for their scenery and history.

I would like to add too that my riding of Norfolk is along the north shore of Lake Erie.

From my early days, we have spent many hours and days along that lake. We always looked across to Long Point with a lot of anticipation of some day reaching that and setting foot on it. It seemed so far away. We got that opportunity only in the last few years. As a matter of fact, when they located the Hydro plant at Nanticoke they talked about bringing the ships of seaweed right into Nanticoke, which seemed like such an impossibility but today that is happening.

It has a rock base and they have cut a channel that is capable of handling those ships from the St Lawrence Seaway and they are bringing coal. Since that point in time, Stelco has put in a commercial dock to service its industrial park and its steel plant at Nanticoke. It is extended out in the lake and it really has opened up Lake Erie for boating for commercial purposes and also for recreation purposes. Port Dover and the Grand River are being developed. With the north shore, the Welland Canal, there is access to everyone in the province, giving a connecting link for our whole water system.

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These wonderful attractions make boating an extremely popular form of recreation in Ontario. It is estimated that there are more than one million pleasure boats in Ontario. Half a million are powered, from small runabouts to luxurious cruisers. The unpowered craft include sailboats, canoes, rowboats and inflatables. Over four million Ontarians—

Mr Wildman: There are a lot of inflatables in here.

Mr Miller: Sometimes, from time to time, it does inflate a little bit but mostly we can sift the chaff and get the real facts.

Over four million Ontarians and about 700,000 US residents use our waterways each year, but we are starting to see some negative side-effects of all of this activity. Reckless behaviour and 75 or 80 boating fatalities in an average year is really what we are speaking about safety.

Bill 73 is aimed at making our waterways safe and enjoyable, but it does not address the full range of issues and concerns. Making boating safer is not as simple as licensing motor boat operators. I see three main areas of concern: one, the jurisdictional responsibility for the waterways; two, the safety of these waterways; three, the need for boating education.

I think this morning gives all three parties in the Legislature an opportunity to have input. This government is listening carefully. First, our responsibility for administration and regulation

of the waters is divided among three levels of government and many departments. This presents difficulties in drafting legislation affecting public use of waterways that historically have been and still are largely under federal jurisdiction. Much of the existing legislation and regulations are old and intended to govern commercial, not recreational use of the water.

My second point concerns safety. Safety has to be paramount, not only with the government but with all members of this Legislature. The government of Ontario is committed to establishing and upholding the highest standards of public safety wherever possible throughout the province. No one is more familiar with the lakes. We have to guard, to protect, because those Great Lakes can react so quickly. Lake Erie is one good example. Even strong fishing tugs have gone down with much loss of life in recent years, as a matter of fact, so safety has to be considered. We also have to protect ourselves when we are using those waters and use our own judgement in that nature.

Safety is also an environmental concern. The boating boom has raised related issues such as pollution control, shoreline access, the invasion of privacy and property and many others.

It is tempting to believe that passing legislation to license motor boat owners would solve these problems, but again there is much more to it than that. While we see clearly the benefits of regulations, we also recognize the need to provide appropriate support programs aimed at training, education and enforcement.

We know many of the accidents and injuries occurring on our waterways could be prevented by improved skills and greater knowledge of the boating environment, but there are wider implications to be considered. The cost of establishing and maintaining education testing and enforcement programs would be substantial. Who is to assume the responsibility and expense of ensuring that standards can be met? Apart from the practical difficulties involved, it would represent a vast expenditure to develop education programs and literature and provide the large number of training staff to administer such a program.

This is why an interministerial boating jurisdiction committee has been put in place to review some of the issues and concerns I have mentioned. This committee is also looking very carefully at some others, including boat licensing and registration, operator licensing and safety education, policing and conflict between land and water users.

Therefore, I believe it would be premature to consider specific questions before the committee has fully examined this issue and several perspectives and made its recommendation.

I indicated in the beginning that we support the principle of the bill. We commend the member for bringing it forward at this time. I think it is timely because it will give us an opportunity and also give the government a push to proceed and move forward with the regulations, and also to bring them to the Legislature where this really has to be dealt with. Sometimes the opposition have been dragging their feet at some point.

Those are our comments. We appreciate the fact that we have been able to participate.

Mr Wildman: First, I would like to congratulate my colleague the member for Oshawa for bringing forward this bill for consideration by the Legislature. It is very timely and a most important issue because as other members have indicated this morning, boating traffic on lakes and rivers in Ontario has just exploded. The number of boats and types of boats, some of them very high-powered, has caused a good deal of congestion.

In my part of the province, where we perhaps do not have the large numbers that you have in some parts of southern Ontario, even on the lake where we spend a lot of time in the summer, on a weekend it is busier than some of the freeways around Toronto. The problem, as my colleague has indicated, is that some of those boaters are very inexperienced. Some are young, but I am not just talking about young boaters.

I saw one person get into a boat—luckily with a very small motor; I think about a seven-horsepower motor—who went zipping around the lake looking at the motor, without looking where the boat was going. I could not believe it.

I want to speak about one other aspect. I think we do need to license boaters. I agree with my colleague that we need to have better training, and there are training programs available. But I want to talk about the aspect of enforcement. I hope we would have someone, perhaps the member for Scarborough Centre (Miss Nicholas), the parliamentary assistant to the Solicitor General, speak to this debate because the question of enforcement is crucial.

I would like to read into the record a portion of a letter I received from a constituent. This constituent runs a marina on St Joseph Island in my constituency. This was a letter he wrote to the Ontario Provincial Police. I will just read portions of it:

“My major concern is the increase in boater drinking and rowdyism which has increased noticeably within the last two to three years. At the marina, where a licensed property is adjacent, weekend boater activity has reached an unprecedented level, whereby impaired drivers are more the rule than the exception.

“These boats and boaters arrive and depart at all hours of the late night and morning, harassing transient and local boaters who, on some occasions, have had to leave the marina. Our reputation has deteriorated considerably. This coming and going drinking activity seems to be commonplace, knowing full well that a physical deterrent presence of authority via the OPP is not there in any location along our section of the North Channel, North shore.

“In recent discussions with conservation officers from the MNR, they can verify that drinking and boating is commonplace, in this waterway at least, and I respectfully suggest that this is entirely due to the disappearance of what once was the best deterrent to drinking and driving, an OPP boat and officers on a regular, consistent patrol with a well-equipped vessel.”

He goes on to say that he has yet to see an OPP boat anywhere around his location for two years at least, excepting a late-season visit for vessel viewing; in other words, a public relations visit by the OPP.

1140

I am most concerned about this, and I have had contact with the Solicitor General about the amount of enforcement. I recognize, as my colleague from the government side of the House said, that a committee is looking at this matter and reviewing it. But I might say in passing that I had to tell the new Solicitor General about this committee. I knew about it; he did not. So I really wonder about what input he has to it.

I wrote to the Solicitor General on 29 August about this problem, and I have yet to receive a response, even though I have reminded the minister on many occasions that he needs to respond.

The question I am most concerned about is that there is no longer a large vessel in the Sault Ste Marie OPP detachment. The 37-foot boat that was based in the Sault was transferred recently to Parry Sound, where I do not debate that it was needed. Apparently a slightly smaller boat was supposed to be transferred from Parry Sound to the Sault detachment to replace it; but it was found to be in such need of repair and the financial constraints were such that the OPP

could not afford to do the required repairs to make it seaworthy, to enable it to be transferred.

Now we have a situation where the Sault Ste Marie detachment is located on the largest fresh body of water in the world and we do not have a large police boat to police that body of water or any of the inland lakes. Lake Superior is not protected. The OPP are quite straight when they say they do not have a vessel that it is safe to go out on Lake Superior with. If that is the case, how on earth is the OPP supposed to police boating on Lake Superior?

I suspect that the situation is not much better on any of the other Great Lakes or the inland lakes. It is so unusual to see a police boat in our area—there is one, a small one, for inland lakes—

Mr Miller: What about the feds? Don't they have one stationed there?

Mr Wildman: I will get to that in a moment.

Mr Miller: All right.

Mr Epp: Let's get to it quickly.

Mr Wildman: Certainly the federal government has some jurisdictional responsibility. I recognize that the OPP does work co-operatively with the RCMP as well as with local police forces, and that the Canadian Coast Guard has some responsibility, but the fact is that the coast guard is not and never was equipped to carry out everyday policing of pleasure boating.

The coast guard's main role has been to deal with the Seaway traffic and with the need for search and rescue when there has been a serious disaster. But even the Canadian Coast Guard does not have the equipment to go out on Lake Superior. We in our area are completely dependent on the US Coast Guard. As a matter of fact, the US Coast Guard has to come over to the Canadian side any time there is a major search on Lake Superior.

We very much appreciate the fact that the US Coast Guard is willing to do this, but really are we meeting our responsibilities? As a matter of fact, the US and Canadian coast guards are more responsible for trying to deal with illicit drug traffic by water across the lakes than they are with everyday policing in co-operation with the RCMP and the Federal Bureau of Investigation.

That is not what we are talking about. We are talking about boater safety. We are talking about small craft and larger pleasure craft that are using our waterways in great numbers. The OPP, which is responsible for policing and ensuring that we do not have impaired drivers, does not have the equipment or the staff to do the job.

If we are talking about people over the age of 16 who have automobile licences, it might be argued that if they are found to be impaired and operating a boat, they are indeed subject to charge and could lose their driver's licence.

But what does that do about those people who are not impaired but who are inexperienced and do not know what they are doing and end up in accidents and overturn their boats because they are involved in traffic that is so heavy, without any rules or understanding the regulations, and there is no physical presence of the OPP to try to direct traffic and ensure that we have safe boating?

This government, if it believes in safe boating, will make a commitment to equipment and staff so we can have proper enforcement. I commend to the House the bill introduced by my colleague.

Mr McCague: I am pleased to speak in support of this bill. While it may have been parroted from the member for Simcoe East, it is a bill of significant importance, and it looks as if it is going to take the combined efforts of the opposition parties to persuade the government that something should be done.

The member for Norfolk (Mr Miller) stood up on behalf of the government and told us all the beautiful things about the lakes and rivers in the province and what a good idea this was, but then he took the normal civil service attitude and came back with all the reasons why we could not do it.

He also mentioned that it was a great thing to talk about these things in here. I did not come here to have a chat with the member this morning about the matter; I wanted him to take some action. If he could persuade the civil servants that he knows what is right and that it can be done, why does he not get on with it? That is what we are talking about.

I know that perhaps some combination of driver's licence and boater's licence has been referred to. If you have a driver's licence, you should start there and let such a person drive a boat. If you do not have a driver's licence, you have to get a boat licence. There are all kinds of combinations.

The member knows if he looks for ways to do it he can do it, but if he looks for ways not to do it, he can get the civil service to tell him all kinds of those things and he can parrot them here in the House. That is no good to us at all. Let's get on with it.

I speak on behalf of the member for Simcoe East, who is unavoidably not here today. Actually he is boating. He is travelling between

Moosonee and Moose Factory looking for deer. I hope he is successful.

I think this is one example to the member for Norfolk of something that this House could really do. Why does he not refer it to committee? Why does he not get on with it so we can have a safer boating season in 1990?

Mr Epp: I am pleased to participate in this bill put forward by the member for Oshawa, Bill 73, and I am also pleased to say that I am going to support this bill, for a number of reasons.

I am cognizant of the views of some of my colleagues on this matter, and I respect their views on it. I think they have very good reason for saying what they do. I think there is another aspect to this, though.

The accidents in this province are very high as far as boating is concerned. In the last eight years there have been approximately 695 fatalities on the lakes and rivers in this province. In 1980 there were about 123 killed, while in 1987 there were 64, an average of 87 in the last eight years. Most of those are fatalities of males between the ages of 15 and 34. A lot of them are caused by alcohol and the absence of life-saving devices.

These matters obviously should be enforced if possible, and I think our enforcement agency is trying to do the best it can with regard to alcohol and life-saving devices. In addition to that, people need to be of a mature age and not have a lot of minors driving high-powered boats. I think that is what this bill is trying to address.

I am also cognizant of the jurisdictional disputes or jurisdictional problems associated with this bill. I am aware of the fact that maybe this should be federal, but I do not think we can always wait for the feds to do something. I think there are plenty of examples where we have waited for them and nothing has happened. Nothing has happened in the last 100 years. Why would we expect them to do something in the next 100 years?

1150

I am also aware that the waters we have bound on three provinces, on the United States as well as our own, and, as my colleague has mentioned, six different states.

The Toronto Star not very long ago, about a month and a half ago, summed up part of this and said, "Powerboats, originally driven by steam, have been in existence longer than automobiles, yet boat drivers in both Canadian and American waters in this area still don't need licences." It went on to say, "Licensing won't automatically provide all that's needed to update the forgotten side of enforcing safety. But as happens with

highway drivers, boat drivers would be required to meet certain standards of age, physical condition, and skills before the license is issued." I concur with that, and I think that one step is better than none. We cannot do everything at the beginning. What we have to do is start with something, and that is what this bill addresses.

The need for licensing and greater enforcement was driven home this summer to me very forcibly when I was away at a conference with some of my colleagues. When I returned, I learned of the son of a friend of mine, who was on the water with one of the ski jets, fell off and a big motorboat went over him and he died shortly thereafter. That was because, as I understand it, these high-powered boats have their nose way up in the air, and they could not see him at all. I am not sure licensing would have prevented that matter, and I am not sure who was driving the boat or whether there are some controls that could be placed on them. But at least if we had some licensing, we would be able to have control of people who are very young now and permitted to go out with power boats and others who are not properly trained. I think education is an important aspect of this, and I think that should be worked on.

In summary, I would like to say that I am pleased to support the member for Oshawa in his bid to get some control in this matter.

Mr Breagh: Mr Speaker, if I could, I would like to use the remainder of the time allocation for my caucus and the two minutes—

The Speaker: And the two minutes as well?

Mr Breagh: Yes, to kind of add it all together.

I thank the members for their contributions this morning. It is precisely what I wanted. I am content this morning to have the debate on this bill in principle. That is a good start for us. I do think it is the kind of thing that would be worth the government's time to think about taking an idea like this and sending it to one of our standing committees or perhaps striking a select committee, because as the member for Norfolk suggested, this is a beginning. There are a number of other things that should be considered when you are going through all of this. I do not view this bill to be a panacea—it certainly is not that—but it is a beginning, a first step, and I think a necessary first step.

I want to address some of the other concerns that were brought forward this morning, because I think they are extremely valid.

Enforcement of whatever laws might exist now is becoming a problem. This summer I was

pleased to see an RCMP boat pull up alongside mine, because I knew why they were there. They were there in the first instance to establish a profile that there is some policing—albeit not as much as necessary, but there is some. And they want to remind people about boating safety and that you have to have safety equipment on board. As somebody who has invested a lot of money in safety equipment, it is all equipment that I never want to use. I never want to have a disaster on board my boat, nor would I wish that on anyone else. But I want the equipment there. It was one of those happy occasions when you are glad to see a police officer; you get a chance to show him that you conform with all the laws, and a bit more, and that you have on board your boat all the things you should have. But that was one occasion during the course of the summer.

We do need to think about enforcement. That is going to be a problem, but it is a problem that is not going to go away. The government of Ontario, whether it wants to hide behind jurisdictional matters or anything else, is going to have to play a role in that. It is going to have to sort it out.

For example, I keep my boat in a very nice little marina at the port of Newcastle. One thing that strikes you is that there are all kinds of people in there with their craft, and there are all kinds of craft. We have one guy who has a very fine old wooden schooner that he has completely restored himself; so it is not a very expensive hobby for him. I have never seen him take his craft out. He likes to be around the marina; he likes to polish, to sand and to restore. That is his enjoyment. It does not cost him a great deal of money, but it costs him a lot of elbow grease. He enjoys that. There are others who go there and use the marina as some would use a summer cottage. There are others who are avid boaters, and they are out on the lake every time they get the opportunity. It can be a great many different things to a great many people; people get all sorts of enjoyment from it.

About as quickly as you could write a law, somebody will invent some new method of transportation on the waterways. Some people who are avid sailors never want to turn the motor on at all; they sail because they enjoy it. They are not in a hurry to go anywhere. They are proud of their sailing skills and proud of their boats. They like that; that is what they do. Others are obsessed with the notion of speed. Some have large craft that will go very quickly across the water; others have very small craft that will do

the same thing. It is difficult to keep on top of all the new developments.

There is a huge boating industry in Canada now, and it is one that I think should be fostered and supported, but it also needs a little help. None of us who are involved in the boating industry directly or participants in boating is happy with the notion that our laws are confusing, to say the least, about the consumption of alcoholic beverages on board a boat. They remain confusing to this day. They are a little clearer now than they were a couple of years ago, but it is a perplexing problem because the public has this problem in mind. They are not sure that operating a boat is the same as operating a car. I think we have a great deal of educating to do in that field.

It is probably true to say that there is nothing wrong with somebody in the middle of Lake Ontario having a beer on a hot, summer day. The problem is that you cannot really write a law like that. That is difficult to enforce and difficult to understand. I believe that in all the legislation that governs the use of the oldest highways we have, the waterways, we have to begin to look at that in a slightly different way.

It is useful to begin by looking at a licensing provision for the operation of the vessel. To fly an airplane you need a licence, and we all acknowledge and support that; to ride a motorcycle on our highways you need a licence, and we all acknowledge and support that; and to drive a truck on our roads you need a licence, and we all understand that. But it seems to me completely nonsensical that to operate a boat on perhaps a very busy waterway, you do not need a licence. That makes no sense to me at all.

Whether or not the members agree with this bill's mechanics, which I would like to set aside for a moment, I think we all accept the principle that the day when you will need a licence to operate a boat is near at hand. This government and governments across Canada have to turn their minds to that. I would like to see a committee of the assembly, for example, take that on, whether it is this bill or the broader question. I know there are interministerial committees considering the matter, but I believe the problem is now before us in a shape and form that we cannot deny.

I hope that the members will support this bill. I thank them for their participation.

The Speaker: The member still has two minutes. He does not wish to use them? That presents a very small problem. However, I think we can overcome it. The standing order does say

we should call a vote at 12 o'clock. It is awfully close, is it not?

CANADIAN FORCES BASE

The Speaker: Mr Reycraft has moved resolution 30.

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT,
1989

The Speaker: Mr Breaugh has moved second reading of Bill 73.

Motion agreed to.

Bill ordered for committee of the whole House.

The House recessed at 1200.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

AUTOMOBILE INSURANCE

Mr Laughren: In July in this assembly I raised a matter of one insurance company simply creating a new entity and shifting a policy from one entity to another in order to avoid the ceiling on insurance rates. In August I wrote a letter to the Minister of Financial Institutions (Mr Elston). I wrote another letter in September. I raised it in the Legislature in October. My colleague, the member for Welland-Thorold (Mr Kormos), raised it here again yesterday in the month of November. So in July, August, September, October and November we have been raising the problem of insurance companies avoiding the cap on insurance rates simply by shifting, within the same corporate umbrella, policyholders from one entity to another.

To this day, going right back to July, the minister has not had the courtesy or the integrity to respond to either my letters or the statements in this assembly. I know that there is no standing order that says the minister has to respond to members' concerns that are raised in this assembly, but I can tell the House that he stands condemned. I can only assume he has no answers and condones this kind of deception that is going on out there in the insurance industry. He has created an unbelievable mess in the automobile insurance industry, and it rests entirely on his head.

ZEBRA MUSSELS

Mr Pollock: This morning the Minister of Natural Resources (Mrs McLeod) met with the mayor of Belleville, a representative from the city of Trenton, the warden of Hastings county, Terry Quinney from the Ontario Federation of Anglers and Hunters Inc, other members of this Legislature, staff and myself. I called this meeting to talk about the zebra mussel problem now plaguing Lake St Clair and Lake Erie and to discuss with all involved what, if anything, could be done.

The prediction is that the zebra mussels will be in Lake Ontario by 1990. These mussels could spread through the inland lakes and waterways, which could seriously affect our fish spawning areas. According to the European experience, man transports these mussels on the sides of his

boats; also, their larvae stay on the sides of the boats.

At the meeting this morning we had a good, open discussion. I appreciate the minister taking time out of her busy schedule to join with us and having a knowledgeable member of her staff present. Our waterways and lakes are extremely important, and we should investigate every avenue to protect them. Time is not on our side.

NORTHERN TELECOM LTD

Mr Callahan: I rise on this occasion to congratulate Northern Telecom Ltd, which is the employer of a large number of people in my community. My colleague the Minister of Culture and Communications (Ms Hart) and myself had the extreme pleasure of attending at Northern Telecom on Tuesday to celebrate with its officials the receipt of a most prestigious award. They received one of the highest international awards for quality, and since Northern Telecom is on the cutting edge of technology, it is certainly a significant industry that is well ahead of many in the world. It sits as a diamond, perhaps, within the framework of this province and this country.

I would like to take this opportunity to bring that to the public's attention, to congratulate all the people who were involved in achieving that prestigious award and to wish them well in the future.

LOTTERY PROFITS

Mr Hampton: Once again, this government is showing a lack of concern for the special needs of this province's northern communities. Bill 119, An Act to amend the Ontario Lottery Corporation Act, represents a perfect example of what I am speaking about.

As I am sure my colleagues are aware, Bill 119 has included hospitals as a second recipient of Ontario's lottery profits. By doing so, this government has allowed a ministry which already receives one third of the provincial budget to gain even more. Albeit we do not approve of the way this money will come to the ministry, we think there are other ways this ministry should be funded.

I have particularly strong feelings on this issue because it shows the insensitivity to the unique nature of northern Ontario communities. More so than in southern Ontario, local cultural and recreational centres have become the focal points

around which residents of the north revolve. Libraries, museums and recreational clubs play a tremendous role in northern Ontario communities. In addition to education or fitness, these institutions provide a source of pride and have become social centres which bind the community together.

To decrease the cultural and recreational programs available to those in northern Ontario will surely be a detriment to our society. As northern Ontario communities have no other channels open in gathering funds, many of the clubs and organizations that represent the heart of northern society will close.

ARTISTS' WORK

Mr Eves: It is my pleasure and honour this afternoon to introduce to the Legislature some very important members of my constituency. We have artists here today: Clermont Duval, David Barrer and a representative of the Mattawa Arts Council, Judy Duval, who are present today displaying their works in my office, where they have been displayed for the last several months. I know that several members of the Legislature, including the member for Sudbury (Mr Campbell) and others, have expressed interest in this very impressive display of art over the last several months, and they are here to day to replace their works of art.

I would like to take credit for this idea as being my own, but I must admit that the member for Renfrew North, the Minister of Education (Mr Conway), gave me the idea. I think it is a great idea that other members of the Legislature should follow. It is a great opportunity for having some very competent and extremely worthwhile pieces of art and Canadian artists represented here in the Ontario Legislature.

REMEMBRANCE DAY

Mr Owen: In the ongoing constitutional debate about Meech Lake, the participation of Quebec in the full life of Canada remains paramount. Where we are today reflects from where we came. Today in this Legislature we are mindful of the sacrifices of the two world wars and the Korean War. Our country's history books record the bitterness of conscription debates in the two world wars. However, I would ask us not to forget the valour and sacrifice of many from Quebec who did fight in these three wars.

On 8 August 1918, Lieutenant Jean Brillant of the 22nd Canadian infantry battalion at the battle of Amiens personally rushed and captured an enemy machine gun nest. Although wounded,

Lieutenant Brillant led another rush, capturing 150 enemy and 15 machine guns, but was wounded a second time. The next day he led yet another rushing party against a field gun, when he was wounded a third time, this time fatally. Lieutenant Brillant was awarded the Victoria Cross.

On 14 August 1943 Captain Paul Triquet led an assault on Casa Berardi in Italy. All of the company officers and half of the men were killed or wounded. He successfully withstood counter-attack by huge odds, with only two sergeants and 15 men at his side. Lieutenant Triquet was awarded the Victoria Cross.

The 22nd regiment has a distinguished record in war, and their many acts of heroism are legend. When the Korean War ended in 1953, nearly 27,000 Canadians had participated; 1,500 of our countrymen died. A list of those killed in that war records large numbers from Quebec. Many medals were awarded to them.

At this time, let us recall with gratitude the valour, achievements, the sacrifice of men and women from each and every part of this country.

ADULT PROTECTIVE SERVICE WORKERS

Mr R. F. Johnston: Over the last number of years, the advocacy workers in the adult protective services workers program, workers with the developmentally retarded and the developmentally handicapped in the province, have seen their program systematically destroyed by this government trying to take away their advocacy role and turn them into merely case managers for their clients.

The most recent happening, though, is of extreme disturbance to me, and that is the recognition of the value of those people. The fact that in terms of pay equity they were not being paid the appropriate amounts of money, has been recognized by several regions in the province, most recently the region of Durham. For a cost of an extra \$46,000, these workers would receive appropriate payment.

This government is refusing to pass through those dollars, this government which is supposedly in favour of pay equity, this government which supposedly knows that social service workers are often undervalued and has set aside a fund to raise their incomes is jeopardizing the existence of that entire program in the region of Durham. I think the people of the province of Ontario need to know that.

There has been a lot of talk about developing an Advocacy Ontario kind of bureau, and all this government has done is drag its feet and, at the

same time, destroy one of the programs which has been most successful in this area.

MOTOR VEHICLE REGISTRATION FEES

Mr McCague: My riding of Simcoe West borders on the south side of what is now known as the GTA—the greater taxation area. Many of the people in my riding have an address which is the same as many of those on the south side of Highway 9, and therefore they are all receiving notices to pay the \$90.

In conversation with the minister's office this morning, we were told that the onus is on the person who happens to live on the north side of Highway 9 to point out the discrepancy and that the government has no intention of doing any advertising or phone calls or whatever to bring this fact to our attention. So, if you happen to be a good law-abiding citizen and you get a notice for \$90, you go in and pay it.

Surely, the minister will see that these people who were incorrectly addressed receive notification that such is the case, or in the alternative, surely, they can be refunded the money that they have overpaid. The minister has not been here for a day or so, but I am sure he will look into this first thing tomorrow morning.

OTONABEE REGION CONSERVATION AUTHORITY

Mr Adams: Thirty years of conservation: a remarkable record which the Otonabee Region Conservation Authority based in Peterborough celebrates this year.

In 1959, ORCA was formed by the province at the request of the local municipalities. The watershed boundary was originally defined by the watershed of the Otonabee River. In 1960, the Indian River watershed was added and in 1961, the boundary was further enlarged to include the Ouse River watershed. Emily and Ennismore townships joined the authority in 1969 and 1989, respectively. The watershed region now encompasses an area of 1,890 square kilometres through 15 municipalities and three river basins.

Since its establishment, ORCA has developed a comprehensive resources management program. The resource management of the authority clearly reflects its mandate which empowered the authority to undertake programs to further conservation restoration development and management of natural resources other than coal, oil, gas and minerals.

The authority has acquired over 10,000 acres of land for conservation purposes. The properties

were purchased for a variety of uses, including water supply and control, fish and wildlife habitat protection, environmental sensitivity, fibre production, outdoor recreation and conservation education—30 fine years.

Hon Mr Ward: By prior agreement, I seek unanimous consent to hear statements on Polish Independence Day and Remembrance Day.

The Speaker: Do we have unanimous consent?

Agreed to.

POLISH INDEPENDENCE DAY

Mr Ruprecht: November 11 is a very special date and of significance to our citizens of Polish heritage as they celebrate the 71st anniversary of Poland's independence. In 1918, over 100 years of occupation and subjugation ended, and Poland gained independence as a modern nation-state. Since then, the independence of Poland has been challenged on a number of occasions.

Today, I am very proud to introduce to you some Canadians who are with us today and who were ready to die for a free and independent Poland: Stan Sadowki, president of the Canadian Polish Congress, Toronto district; Stefan Falkowski, president of the Polish Army Veterans Association, and Mr Szczyglowski, president of the Polish Combatants Association.

This year, the anniversary is of special significance because of the presence of Lech Walesa, the chairman of the first independent trade union in eastern Europe. I met Mr Walesa in Poland just before martial law was imposed on 13 December 1981. At that time, there was a dark cloud over Poland and there had been reports of imminent Russian invasion forces coming into Poland. Mr Walesa, at that time, had a significant role to play in taking the nation from the brink of war. I can remember what he told me. He said: "I will be jailed in a few days, but I will not go into exile. I would rather stay with my people even if it means death."

Our meeting was interrupted by two men who came in to hang a cross over Mr Walesa's chair, and at that point it struck me that this particular cross was pretty large. But when they had left, Mr Walesa turned to me. He pointed to the cross and he said, "This, Mr Ruprecht, is our strength and this is what we believe in."

Of course, this was a great, courageous act of Mr Walesa, as all of us know and as all of us followed the history of Poland. As the iron curtain is now lifting and a massive transformation is taking place which is really unprecedented in eastern Europe, especially in Poland, what

will the scribes of history say about us and our participation, our contribution and our involvement? Will they say, "There was a nation and there was a people who participated, helped and put their shoulders to the wheel of helping out a reconstructed Europe"? Or will they say, "There is a nation called Canada, which did really nothing, or only very little"?

The choice today, of course, is ours, and I would hope we would not sit idly by while those nations of eastern Europe are going through some pretty cataclysmic changes. November 11 will be celebrated with a mass at 11 am in St Stanislaus church. It will be followed by a flag-raising ceremony at city hall and a historic meeting with Lech Walesa at Massey Hall. I would encourage all members to participate.

Finally, let me just turn and say to all our Polish-Canadian friends who will celebrate 11 November as Polish Independence Day:

[Remarks in Polish].

Mr B. Rae: As the member for Parkdale has pointed out—and how delighted we are to have his support for the existence of the trade union movement anywhere in the world—this is going to mark a historic weekend, not only that it represents Polish Independence Day, which we have celebrated on other occasions in this House, but it is also a weekend in which Lech Walesa is going to be the guest of the Canadian Labour Congress and the Ontario Federation of Labour in this province, and is also going to be visiting the United States.

We are simply delighted that he is coming here and so proud of the events and the tremendous leadership which the trade union movement in Poland has shown to the entire country. I know there are many members opposite who will be joining with all of us in these celebrations this weekend here and in the great city of Hamilton, where there will be a celebration at the Vic Copps arena.

I want to say a word to members, and I am sure they would allow me to do so, about some of the extraordinary events taking place in eastern Europe. I just heard on the news prior to question period that the East German government has announced that any East German citizen who wants to leave the country will be allowed to do so. They will be allowed to leave through the wall, if that is how they choose to leave.

I am sure I speak for all the members of the House when we simply celebrate this incredible transformation of eastern Europe that has taken place. We celebrate with all those who have been martyrs to the cause for so long, those who have

been in jail, those who have been killed, those whose families have not been allowed to pray, those whose families have not been allowed to speak out, those whose families have not been allowed to hold different opinions and to speak aloud their contempt for the incredible oppression which they and their families have had to live in for a generation.

1350

We celebrate with the Polish people their freedom, but we have to do more than that. We have to, as a Legislature and I believe as a country, reach out in practical ways and in real ways as eastern Europe undergoes this incredible transformation.

The news from Poland is extremely tough. In creating a different kind of economy and a different kind of society overnight, to say it is difficult is to understate the case. There are shortages of the most basic of commodities. There are real problems with employment, with jobs. There is incredible inflation and, of course, the social structure itself is threatened as an old order has died and a new order has yet to really take its place.

We in this party celebrate the triumph of democracy anywhere in the world. We certainly celebrate, in a very special way, the triumph of social democracy in its best sense in the countries of eastern Europe. We are especially proud on this weekend as we await the arrival of Lech Walesa, one of the really true heroes of our generation.

Mr Jackson: I wish to rise and acknowledge, as well, Poland's day of national independence. The history of Poland and the Polish people in the past 1,000 years is one of continuous struggle against oppression and foreign domination. They are a very proud people who have been deeply imbued with a sense of national purpose and a willingness to make the ultimate sacrifice for their freedom and in defence of their homeland, even though this has meant severe reprisals and the loss of life.

In the 18th century, Poland was finally occupied and divided as a nation under a then very repressive regime. However, the spirit of Jan Sobieski and Adam Mitskevich lived on in the hearts and minds of the Polish people, reminding them of the bravery and the tenacity of their ancestors.

In 1918, Poland rose once again as a free and united nation after the aftermath of that crumbling regime, so November 11 marks the day on which Poles around the world remember and

relive the events that led up to that very first independence day.

Polish Independence Day is more than just an expression of national pride in what went on in the past; it has taken on a very special meaning for all Poles and indeed for all eastern European peoples as they look in 1989 for renewed hope of nationhood, of freedom and of economic prosperity as they witness yet another oppressive regime crumbling.

This year, our Polish-Canadian community will be able to celebrate independence day with Lech Walesa, whose patriotic Solidarity party has in fact become the voice and the government of the Polish people.

I, like a number of my colleagues in the House and like many other Canadians who have their roots in eastern European culture, have been fortunate not to have to experience the kind of terror our ancestors experienced. Nevertheless, we grew up with an understanding of its meaning as we saw it in the eyes of our parents and our grandparents.

It is time for us and for new Canadians to share a sense of appreciation for this country and for what it has given our people so that we never have to live with that loss of prosperity and with the thought of living in terror.

On behalf of the Progressive Conservative Party, I wish to extend to members of the Polish-Canadian community and through them to all Polish people worldwide our hearty congratulations on the occasion of their independence day celebration.

[Remarks in Polish]

REMEMBRANCE DAY

Mr Eakins: This Saturday is November 11, when Canadians of all generations across Canada will pause to honour and to pay tribute to all the brave individuals who served and gave their all that we might live in freedom today. On behalf of the Premier (Mr Peterson) I would like to express the respect and gratitude of the government of Ontario.

Canadian men and women have always responded quickly and with determination to defend the freedom and way of life that we enjoy today. This way of life is their memorial, our freedom is their legacy and the realization of world peace is the best monument we can erect in their honour.

For many people in this province and in this country, war is something remote, other than the occasional viewing of special programs of remembrance of Vimy, Dieppe, D-Day, etc. We

have throughout our province and, yes, within the Ontario public service those men and women who served with distinction and were decorated. There are also those who know only too well the horrors of it all through confinement in prisoner-of-war or concentration camps.

At the close of the Second World War, a well-known army general, in urging the twinning of sister city communities throughout the world, said, "We have learned to win the war, but we have never learned to win the peace."

Our obligation is both to keep alive the memory of those who served and to do everything within our power to be windows to the world in international friendship and understanding. This Saturday, Remembrance Day, we have the opportunity, with appreciation to the leadership of our comrades of the Royal Canadian Legion, to express our gratitude to those to whom we owe a tremendous debt.

"They shall not grow old, as we who are left grow old:

"Age shall not weary them, nor the years condemn.

"At the going down of the sun and in the morning

"We will remember them."

Mr Mackenzie: As spokesman for the official opposition, I too wish to pay tribute to those whose memory we shall be honouring this Saturday. On each Remembrance Day we attempt to find words that will give meaning to the supreme sacrifice made by Canadians in defence of our freedom; indeed, "Lest We Forget" has come to symbolize our thanksgiving for what we enjoy today.

Let me share with members a prayer that was found among the effects of a Canadian infantry sergeant who perished outside Ortona, Italy, in December of 1943. It reads:

"Today, a bird sang for me. Today, I leaned against the strong trunk of a living tree, so I am not alone. When I get back to Canada, I will remember this. I will cherish all life, for all life is really one. I will never again be a destroyer. This is my dream; that we will learn to live in harmony, not between men alone, but with the whole living world."

This to me is what Remembrance Day is all about. It is about a dream, a dream of harmony. It is not about the glorification of war, for that would be the glorification of a terrible waste where lives are lost in the horror and ferocity of war. Rather it is about the glorification of those 110,000 soldiers, sailors, airmen and women who served together and died for the ultimate

goal, the goal of preserving our democracy and our country.

In these days, when many Canadians are concerned about the unity of our country, it is well to remind ourselves of the words of Joseph Howe in the early days of our nation. "Let a wise nation preserve its monuments, decorate the graves of its illustrious dead, repair its great structures and foster national pride by perpetual allusion to the glories and sacrifices of the past."

It is these perpetual allusions to the glories and sacrifices of the past that culminate each year in our celebration of Remembrance Day. Our legions, schoolchildren, community organizations and citizens are thereby saying to the world we shall not forget, and it is this phrase which imparts on all of us the direction for our future.

Never again must man's inhumanity to man allow the terrible waste of war which in future would even put at risk our very planet. It is this challenge that Remembrance Day embodies and that future generations in this country must continue to meet.

Mr J. M. Johnson: I am honoured to speak on behalf of the Progressive Conservative Party and pay tribute once more to the Royal Canadian Legion and express our support to all the veterans of our great land as together we listen to the mournful sound of the bugle as it is blown at the 11th hour of this Saturday, Remembrance Day.

The First World War came to an end at 11 am on November 11, 1918. This date is known as Armistice Day. In Canada, November 11 marks a solemn commemoration of over 100,000 Canadians who made the supreme sacrifice in the First World War, the Second World War and the Korean War. In addition, tribute is paid to those who served in the Canadian Armed Forces and especially the many veterans who still bear the mental and physical scars of those wars.

1400

Remembrance Day provides an opportunity for Canadians to reflect on the horrors of war. The hardship, destruction and tragedy of armed conflict should be brought home to our younger generations.

If we are to avoid going down the road of war again, it is vital that we realize that in this era it is impossible to win a war. It is just as important to recall the principles upon which Canada fought so many years ago. Canada has always stood for freedom, democracy and self-determination. There can be no doubt the Canadians who fought did so to uphold these very principles. They believed that these principles were worth fighting

for. The valuable lessons they teach us must never be forgotten.

This year, 1989, not only marks the 50th anniversary of the outbreak of the Second World War, a conflict in which 50 million people perished, but it also is the year that has seen massive shifts in the political structure of our world. For the first time in over 40 years, there seems to be a genuine thaw in the cold war with our adversaries in the eastern bloc. Hopefully, 1989 will go down in history as the year that truly brought an end to the threat of world war. For the sake of our young people and our future generations, I truly hope it will be so. It is the remembrance of the terrors of war that compels us to search for a lasting peace. That is why Remembrance Day is so important.

I know all members will join with their local legions in parading to their cenotaphs and proudly laying the provincial wreaths in memory of those gallant young men and women who served in the Canadian Armed Forces, men and women who gave their lives for their country, our country, Canada. May we never forget them.

The Speaker: I believe it would be fitting if all members and visitors would rise and join with me in one minute's silence in remembrance of those who gave their lives for us and for our country.

The House observed one minute's silence.

VISITORS

The Speaker: I would ask all members of the assembly to join with me in recognizing in the Speaker's gallery two members from the Northwest Territories' Legislative Assembly: the Honourable Nellie Cournoyea, Minister of Health; and Henry Zoe.

STATEMENTS BY THE MINISTRY

EMPLOYMENT EQUITY

Hon Mr Elston: As honourable members know, the government's employment equity program provides enhanced recruitment and advancement opportunities within the Ontario public service for members from five designated groups: aboriginal peoples, persons with disabilities, francophones, racial minorities and women.

To this end, I am pleased to announce today new action which will support a process that is already well under way. The Human Resources Secretariat will establish a multimillion-dollar employment equity fund to make possible many of the equity goals of the Ontario public service.

Over the remainder of this fiscal year, the government will channel \$1 million into a series

of innovations that will support ministries in the accommodation of persons with disabilities in workplaces throughout the public service. I find these initiatives particularly exciting because they turn the workplace into an area in which any employee can function, regardless of his or her particular disability.

The initiatives include the following: The acquisition of technical aids that enable persons with disabilities to fully function in the workplace; a pilot project for the provision of attendant care for persons who require special aid; the provision of communications support through items such as conversion of print into audio cassette and/or computer discs for the visually impaired, as well as the installation of telephone devices for the hearing impaired; the provision of special furniture such as customized work stations and the provision of office renovations where necessary.

In each of the three successive years, we will place \$7.5 million in this employment equity fund. The money will be used to address the needs of all five groups in the areas of career development, training and education, outreach recruitment and special projects. As well, it will continue to fund improvements in accommodation for persons with disabilities.

The program's goal is to remove systemic barriers. It will also result in the recruitment of more members of the five designated groups into the Ontario public service.

Recently, the Ontario Human Resources Secretariat co-ordinated a survey known as the workforce profile, which showed that the make-up of the OPS is generally reflective of society at large. Unfortunately, members of designated groups are concentrated in lower-level jobs.

The workforce profile survey now forms part of the active database for the strategic employment equity planning process more commonly known as goals and timetables. The database can be updated regularly as new employees enter the OPS or as employees change positions. The database has already helped the secretariat to set the first corporate goals which, in turn, will serve as guides for managers in each ministry of this government. These managers will now begin to plan ministry-specific goals tailored to their local needs and demographics.

The corporate goals for the OPS as a whole will set the course for a series of three-year planning cycles which will allow flexibility in setting priorities. In turn, these planning cycles will chart our 10-year strategic direction. Our ultimate goal is to have these designated groups

represented in the OPS in numbers that are proportionate to Ontario society in general.

The employment equity goals now become part of our larger corporate human resources planning for all OPS employees called Strategies For Renewal. This positions employment equity as part of a broad range of activities intended to revitalize our workforce, including attracting young people from all backgrounds.

The employment equity process presents us with a unique challenge. The OPS is composed of about 87,000 employees employed in 124 occupational groups across more than 30 different ministries and agencies. Our employees include nurses, heavy equipment operators and financial experts, to name just a few. They work in remote communities and in large urban centres.

In designing the program, the Human Resources Secretariat has consulted extensively with ministries, unions representing OPS employees and some external advocacy groups who have given freely of their expertise and experience.

Corporate priorities have been identified. An information database is being compiled. The foundation is in place on which the process can now be built.

As well, information and education sessions are being conducted by the Human Resources Secretariat for government managers across the province.

The government has provided and will continue to give its full support to ensure the success of this process. We pledge our support to this process because it is fair and because it corrects long-standing inequities. It also makes good business sense. It will expand considerably the pool of available talent we need to deliver good government.

We will continue to consult with community groups and build awareness and provide training for current OPS employees so that they will become significant players and partners in employment equity at all levels.

With this program, I am confident we have in place the tools we need to meet our goals and timetables which will make our public service representative at all levels.

1410

BUSINESS INFORMATION

RENSEIGNEMENTS SUR LES ENTREPRISES

Hon Mr Sorbara: Later today I will introduce for first reading the Business Information Statute

Law Amendment Act, 1989. This act amends the Business Corporations Act, 1982, the Corporations Act, the Corporations Information Act, the Corporations Tax Act and the Limited Partnerships Act. These acts are the statutory foundations upon which businesses operate and are identified in Ontario.

The amendments are twofold. The first is to enhance the accuracy of information about Ontario businesses maintained for the public record; and the second, to improve public access to this information by converting the current paper-based records to a computerized system.

The records maintained by the ministry's companies branch are the key link between businesses operating in Ontario and those who wish to identify them, both consumers and businesses.

Les archives détenues par la direction des compagnies du ministère de la Consommation et du Commerce constituent un lien essentiel entre les compagnies en exploitation en Ontario et ceux qui souhaitent les identifier, c'est-à-dire, les consommateurs et les compagnies.

Initially businesses will be given the opportunity, by notice of a special filing, to confirm or update their information currently maintained in the public record. For this purpose, the most recent business address on file at the corporation tax branch will be used.

Further, as evidence of the Ontario government's commitment to promoting investment in the province, the administrative burden now placed on limited partnerships to constantly update the public record on changes of limited partners has been eased. It will now be the general partner's responsibility to maintain this information.

I am sure that all members will agree that both consumers and businesses will benefit from a public record of business identification that is more up to date and more accessible.

Je suis persuadé que l'ensemble des députés sera d'avis que les consommateurs et les compagnies profiteront de ces amendements concernant la mise à jour et l'accès aux dossiers publics d'identification des sociétés.

I urge all members to support this legislation when I introduce it later today.

RESPONSES

BUSINESS INFORMATION

Mr B. Rae: I want to reply to both statements.

Let me very briefly say to the Minister of Consumer and Commercial Relations that we cannot really comment on his bill until we have

seen whether it changes substantively the pathetic absence of information which is now in the current law.

It is difficult, for example, for many tenants to find who the owners of their buildings are, once they go behind numbered companies. It is often difficult for people to get a handle on how large a corporate empire is when companies can form numbered company after numbered company and that empire has tentacles right through the system and it becomes impossible for people to track down the necessary information about who owns the shares, who the owners are, how many shares they own and precisely what the structure of the company is.

So I say to the minister that until we know that, we really cannot comment further, except to say that my friends and colleagues on this side have had battles for well over a decade on the need for corporate information to be more widely shared and for us to end some of the unnecessary secrecy which pervades our corporate law.

EMPLOYMENT EQUITY

Mr B. Rae: I do not know what kind of credit the minister is going to get from the press today about this statement he has made on employment equity, but I want to say to them and I want to say to the minister that what he has done is a travesty compared to what the Liberal Party said it would do in 1985. Compared to what they have told people for a generation they would do, this is an appalling substitute for action from the government of Ontario.

There is no law here. There is no requirement here. There are no rights here. There is simply a very, very tiny amount of money being put forward; it is obvious. If you look at the cabinet documents, the cabinet documents that we made available when they were made available to us, of all the options the Liberal Party had on employment equity, it has taken the option which costs the least, requires the least of government and which does absolutely nothing for the millions of workers who are working in the private sector, nothing for workers in the private sector.

After the election of 1985 the Liberal Party said it would bring in employment equity in the public and the private sectors. The Liberal Party has broken that promise with the announcement made by the minister today. It is obvious that there is nothing planned for the private sector whatsoever, that there is no proposal here which applies to the private sector, and that when you

look at the public sector itself it is the least possible option, the least cost option compared to what they could have done, compared to what they ought to do.

Those are the facts. The minister can deny it if he wants. The facts are there. The cabinet has been discussing this issue for years and they have come up with less than a mouse. That is the truth.

Mr R. F. Johnston: If I might add a few words myself, I find this is just as appalling as my leader has already said. When you think back to its very first session as a government, when it changed the Ontario Human Rights Code to supposedly give better rights for the disabled, it refused to bring forward a fund to provide reasonable accommodation at that time. This still does not even extend that kind of notion out into the private sector to really assist in a major way. This is absolutely atrocious.

The minister knows his studies from his own government have shown that the disabled coming into his government tend to end up in temporary jobs, temporary jobs which are renewed contract after contract after contract and they never get the permanent positions.

I have taken individual cases before the minister; a year and a half ago there was a case of a fellow, about whom the minister knows very well, who is still to this day in a temporary position. The minister is telling me that this is the sort of thing we should accept as a major move in employment equity.

I will tell you what I think this is, Mr Speaker. This is an attempt to deflect from the pay equity attack he is under today here in the lobby of this Legislature, trying to make the government look progressive to deflect attention from how badly it has dealt with that issue and from this inadequate kind of approach today. It is not going to wash. It is not going to fool us and it is not going to fool the press and it is not going to deflect away from the questions around pay equity which the minister has to answer.

Mr Brandt: I am not going to be quite so harsh in my criticism of the minister, other than to say simply that the government's record to date is far less than acceptable as it relates to assistance programs for those who are less fortunate in our society.

The government has promised a great deal in terms of the five groups that are in its target designation. The minister has promised over a long period of time that he was going to provide programs that would be of assistance. Now he has brought in, as the opposition has quite accurately portrayed, a response which is very

narrow, a response which is very limited, when the minister well knows that there are economic realities in the marketplace which make good sense to have these people working, rather than having to rely on some form of government assistance.

Time after time, and I am sure the 130 members of this Legislative Assembly would agree, when they have people who have difficulties in finding employment because of some of the problems that are pointed out here in the minister's five designated categories, the interest of those individuals is to find work. Sometimes it is a need for special equipment, sometimes it is a need for some modest assistance on the part of government which will allow those people to be introduced in a meaningful, productive, positive way into the workforce.

I want to say that I hope this program, which the minister indicates he is prepared to monitor over the three years that he is looking into the future with the \$7.5 million per year that he has committed, will meet reasonable target figures. We also will be monitoring the minister's and the government's performance. I hope the minister is successful. These groups need his help, not only in the public sector, but in the private sector as well. I hope this is a step in a positive direction and along with my colleagues, I only want to suggest that we trust that the program will be a success, but we will surely bring it to his attention if he does not meet reasonable and acceptable targets.

1420

BUSINESS INFORMATION

Mr Cousens: The House was glad to have an announcement from the Minister of Consumer and Commercial Relations (Mr Sorbara). The fact of the matter is that there is a need to have better access to information under the corporate statutes and I would hope that the ministry will be able to develop a system that will actually work, unlike the system that the ministry has put together for the Personal Property Security Act, the PPSA. That is an example where the ministry brought in computerization but has not the faintest idea of how to make it work.

I am getting complaints from people right now, where if you have got a lien on a property, it takes you 10 days to get information out of the minister's great ministry. The ministry does not have a manual system to back it up and when you talk about the delays on lien information, it would make me believe that the Minister of Consumer and Commercial Relations on the one

hand deals with fine goals and expectations, and yet the practical reality of what is going on with the introduction of another act which has to do with access to information, and an important line of information, it just does not work.

And so, he keeps the words going, the minister keeps trying to do it, but would he also make sure that the people in his ministry know what he is talking about, and that they are going to install and implement systems that respond to the needs of the people of Ontario. He has not succeeded now with the Personal Property Security Act; I hope he does better when he introduces the Business Information Statute Law Amendment Act. In the hope that the minister will, I believe that our party is going to try to support it. But would the minister go back and do his homework on some of the other things that are there now and that are crippling business in the province of Ontario. He has not done the job there; maybe he will have learned some lessons from that one and do this one better.

You know, it is fine with all the talk, but get some action into the scene and make sure that the minister follows it through. He builds up expectations in the people of the province of Ontario just on every front. This government is so good at putting out the window dressing, but it is not good at delivering the goods. That is what we want to do, to see some substance there so we are getting some money back, some investment back, for all these words that he is stringing along. We are getting tired of it. But I happen to believe that the honourable member for York Centre is going to try, in at least this one instance, and we are going to give him the benefit of the doubt.

VISITORS

The Speaker: I would like to inform the members of the assembly that we have had two other guests arrive. I only see one at the moment; however, I would like to take this time to recognize in the Speaker's gallery the High Commissioner of Great Britain, His Excellency Brian Fall. And if you see another gentleman up there shortly it will be Mr John Brown, the Consul-General of Great Britain in Toronto.

ORAL QUESTIONS

PAY EQUITY

Mr B. Rae: I have a question today for the Minister of Labour. I wonder if the minister can tell us when the government plans to bring in legislation to deal with the injustice in the current Pay Equity Act, 1987, which is that hundreds of

thousands of women who work in industries and in establishments and in occupations that are dominated by women, are effectively excluded from the act. He now has a report from the commission as to what to do.

Can he tell us precisely when he is going to act to deal with this problem?

Hon Mr Phillips: I met today with one of the groups concerned about it, and what I said to them was that first we must recognize that we have in this province the most progressive piece of pay equity legislation in North America. No one will deny that, no one. What I said was on this issue, and there is no question there are significant numbers, hundreds of thousands of women for whom the act cannot provide redress.

We had only three weeks ago, a very major report from the commission. What I said to the group was this is an extremely important report; it has taken about 18 months to prepare. I am working on the report now and am preparing a response to the report and will do that as quickly as we possibly can.

We are implementing the act on 1 January. It will cover a significant number of people in the province, and we are looking at this major report that I have had now only for three weeks to prepare a response.

Mr B. Rae: I hope that just because it took a year and a half to write, it is not going to take a year and a half for the minister to read it. If he is not prepared to tell us that, I wonder if he can tell us when he is going to bring in changes to the law which I hope he will agree are necessary and essential if we are going to deal with this question of the women who are excluded from the benefits of pay equity.

I wonder if he can tell us why it is that his government, does not say to employers, indeed to agencies of the government and to nonprofit agencies, "We will fund you when you introduce pay equity changes in your establishment."

Why it is, for example, that the adult protective service workers in the Durham region, who were awarded a pay equity increase as a result of a survey done by the Durham region, have not been compensated by the government of Ontario. Instead, the government of Ontario has said it is not going to fund that kind of an increase because it does not think it is justified. Why have you done that?

The Speaker: Order.

Hon Mr Phillips: Perhaps we have a different approach. I think that when we are talking about pay equity, we are talking about justice and we are talking about equity. In terms of the

government giving funds to the private sector, which the Leader of the Opposition is proposing, I suggest that we should be ensuring that we have equity and fairness in the workplace. So I do not think it is the government's role to fund pay equity settlements in the private sector. I think it is the private sector's responsibility.

Mr B. Rae: Let me be very specific for the minister. There are going to be nursing homes and there are going to be homes for the aged that are public sector, that are run on a nonprofit basis. There are going to be day care centres that are run on a nonprofit basis. There are going to be the adult protective service workers, and we have not privatized the jails in Ontario yet; they work in the public sector.

If this minister, in the absence of legislation, is saying that is something he is not prepared to do today, is he at the very least prepared to establish a fund that will ensure that women who work in these centres will not continue to suffer the kind of wage discrimination and enforced poverty as a result of this government's inaction. Can he at least give us that assurance?

Hon Mr Phillips: To go back to the earlier question; he said, "the private sector" and I want to make very clear—we will look at the Hansard tomorrow—in terms of the public sector and the broader public sector, what I think is extremely important is there are low wages in areas that are often predominantly female. It was an issue the Treasurer (Mr R. F. Nixon) addressed in his budget this year. We have set aside another \$100 million to tackle those specific issues. The Ministry of Community and Social Services just this week talked about the need to redress wages in the homemaker's services.

So we are addressing those issues in terms of the implementation and the solving of this issue because there are hundreds of thousands of women who right now are not able to benefit because of the lack of male equivalent in their organization. In terms of the implementation of that, there is no question that we must consider not only the mechanism for doing that but the funding, and we certainly will as we move forward to resolve that issue; we have to consider, and will consider, the funding aspects of it.

LANDLORDS' RESTRICTIONS ON PETS

Mr B. Rae: In the absence of the Attorney General (Mr Scott), the Premier (Mr Peterson) and the Deputy Premier (Mr R. F. Nixon), I have to ask this question to the Minister of Housing. It concerns a tenant, and I want to ask him this

question. This woman's name is Janet. She has asked that I not use her last name. She had service in the women's division of the air force between 1942-45. She lives on a pension of \$865 a month. She had a stroke in February of 1989, and she is now almost completely blind. She lives in the city of Toronto in a high-rise apartment building. This week, Janet received from her landlord an application to the district court of Ontario, a notice of eviction, because Janet has a cat. What have we come to in Ontario when a 67-year-old woman, who is almost blind and has just had a stroke and lives alone with her cat, gets an eviction notice. What has happened?

Hon Mr Sweeney: I believe in response to a similar question, the Attorney General made it very clear. It is one thing for a landlord to give an eviction notice. It is something quite different for the person, in fact, to be evicted. The Attorney General made it very clear that under the landlord and tenant legislation the broad range of decisions which have been made recently have been in favour of the tenant. There had been the one exception. Both the Attorney General and I have clearly been concerned about that one exception, but it would appear that, subsequent to that, all other decisions have been very much in favour of the tenant. So therefore the direction of the Attorney General, which I would strongly support, is that tenants just simply resist such an eviction notice.

1430

Mr B. Rae: The minister is suggesting that a 67-year-old woman who is blind and living in an apartment with her cat should resist her landlord. What a pathetic response from the government of Ontario to a very human situation.

Why in the name of goodness can we not have a law in Ontario which says that an apartment is just as much a home as somebody else's house and that living in a home means the right to enjoyment, "to quiet enjoyment," to use the words of the legislation and the words of the common law; and if you are entitled to quiet enjoyment, why are you not entitled clearly and categorically so that landlords will not take advantage of this? There are 126 buildings in Metropolitan Toronto where this is happening.

The Speaker: Thank you.

Mr B. Rae: Why is there not a clear statement in the law which simply says, "You're entitled to quiet enjoyment, and that includes the use of pets so long as they do not bother anybody"?

The Speaker: Order.

Hon Mr Sweeney: The point that I tried to make a couple of minutes ago is in fact that is the way the decisions are being made, that tenants are able to have quiet enjoyment, and the decisions which are being made in an adverse way is where there is a clear demonstration that those pets are causing a disturbance to the quiet enjoyment of another tenant.

Mr B. Rae: I want to say to the minister that as I have talked to lawyers with respect to this I understand that there are two recent court cases, one of them a case where the landlord withdrew in court, a second case where the tenant did not show up for the hearing and the eviction was allowed. Those are the kinds of cases that the Attorney General was relying on yesterday.

I want to ask the minister why it is that he is asking tenants to be heroes. He is asking widows to resist an eviction notice and he himself knows how terrifying a document of this kind would be coming through the door of somebody who is living on her own at the age of 67.

Mrs Grier: On \$865 a month.

Mr B. Rae: On \$865 a month. He should put himself into those shoes for a bit and just walk around there for a few moments and think for a second as to why we do not have a law which states clearly and categorically that this kind of cheap, cheesy intimidation tactic by the landlords of Ontario ought to be illegal.

The Speaker: Thank you.

Mr B. Rae: It is the landlords who ought to be going to court, not the tenants of the province.

Hon Mr Sweeney: We currently have a law, the Landlord and Tenant Act, which indicates that the tenant has a right to quiet enjoyment of his or her property. Whenever that law has been challenged, in all of the cases except the one that has been highly publicized, the courts have upheld the law and the tenants have been allowed to have quiet enjoyment except where their pets interfere with the quiet enjoyment of others. The law is there. The law is being carried out. The law is effecting what it was intended to effect.

AUTOMOBILE INSURANCE

Mr Brandt: My question is to the Minister of Financial Institutions. I want to pursue a couple of questions in regard to the proposed auto insurance bill, questions that I think will be of interest to the people of Ontario in regard to the impact of this particular bill.

I wonder if the minister could share with the House the total number of people in Ontario who would be impacted by the bill and also the total

value of the premiums in the last fiscal year that were paid for auto insurance in this province.

Hon Mr Elston: The bill will have implications for the full nine-million-plus people who reside in the province of Ontario. The number of premium dollars I do not have at my disposal at the moment, but I will get that for the member.

Mr Brandt: As usual, I want to be helpful to the minister and I want to share with him the fact that, in addition to six-million-plus drivers and probably impacting, as this bill does, on more than nine million Ontarians who have use of a car at one time or another, the total premium bill is in excess of \$3 billion. I want to suggest that by way of background to the minister, only in trying to be helpful with respect to the time frame in which he anticipates having this bill passed.

I ask the minister, in view of those facts—over six million drivers, over \$3 billion in premiums—does it seem reasonable that the minister is pushing to have these hearings limited to a time frame in which all of the hearings will be concluded prior to the end of this year?

Hon Mr Elston: It does seem to me that it is well within the public policy interests of the province to move forward with this. The member and his cohort the member for Leeds-Grenville (Mr Runciman) have been among the large number of people who have said we must get on with it and move more quickly than we have before, that there has been enough study. I agree with him and I agree the member for Leeds-Grenville. I agree with the member for Welland-Thorold (Mr Kormos) who says that we have taken too long to study and too much has been done when questions of affordability are at stake. I agree with all of that and, as a result, I am quite pleased to move forward with the legislation.

We have had the Slater report, the Osborne report, the report of the Ontario Automobile Insurance Board. We have had all kinds of input and we have accepted the recommendations which they have put as part of the process to establish the bill and in fact have made good use of the input from various parts of the public that have come before us: the consuming groups, people who represent the injured, people from the industry, people from the legal groups, people from the broadest perspective in the province. The bill is a balanced and rational way to come up with both affordability and good benefit levels to support the people in the province.

Mr Brandt: Two points: Little of the input that has been received to date has been included in the minister's bill and, second, no one in the

opposition parties has asked the minister, to the best of my knowledge, to rush this whole matter through. I say that because this government has a track record which is less than attractive in terms of bringing forward bills that are without flaw.

I would use as an example which I want to share with the minister Bill 147, which is the Independent Health Facilities Act. A total of 38 amendments were brought forward on that particular bill and it was still returned to committee for further public hearings. To Bill 41 earlier in the session, which the minister was in a big hurry to pass, the government itself put forward over 100 amendments, so we frankly now have a new bill in place.

The Speaker: And the question?

Mr Brandt: My question is simply this: The government gives every indication that it wants to fast-track this bill. Why, when he has a bill of such magnitude, which is going to impact on over six million people, \$3-billion-plus in premiums, why will the minister not conduct extensive—

The Speaker: Order.

Hon Mr Elston: As I indicated earlier, we have had a chance over the past few years to take a look at all of those public positions held by lawyers and people from injured victims' associations, from the anti-drunk-driving associations. All of those people have come before Slater or Osborne or in front of the board. We have had people in the broadest way possible.

In fact, what we did was we released the bill in draft form in September so that people could tell us their thoughts about the bill prior to its introduction into the House. So the bill has been in the public forum for some time and, contrary to what the honourable gentleman suggests, we have made extensive use not only of Slater and Osborne and of the automobile insurance board report, but of other input received from lawyers' groups and others.

Mr Brandt: You rejected what they recommended. Don't mislead the people. You rejected what they recommended.

Hon Mr Elston: The honourable gentleman is absolutely wrong when he says we did not take the advice of the public input that we have received. Not only have we got Bill 68 as part of our comprehensive program, but we have gone much further than that and taken the advice of the auto board, which said: "You cannot rely on the insurance product alone to reduce accidents. You have to do other things. You have to ensure that

accidents are reduced and you do that by enforcement, by"—

The Speaker: Thank you. Perhaps the minister might take a breather.

ONTARIO HUMAN RIGHTS COMMISSION

Mrs Marland: My question is for the Minister of Citizenship. I sent the minister over a letter more than half an hour ago as a courtesy, so that he would be able to answer this question.

The letter which I sent him is a resignation letter by Anne Molloy, who was head of legal services for the Ontario Human Rights Commission. It is a letter that Ms Molloy wrote to the former executive director of the commission, Michael Gage. In that letter, she tells Michael Gage that she had received a telephone call from him saying that he had denied to the Toronto Star that a certain meeting took place between him and Anne Molloy.

1440

My question to the minister is, does he as the minister responsible for the Ontario Human Rights Commission condone such deception by a senior public civil servant?

Hon Mr Wong: First of all, let me thank the honourable member for providing me with all of these documents at the beginning of question period.

Let me put it into context: In Ontario, we have perhaps the strongest, but certainly one of the strongest, human rights codes of any province or territory in Canada. We have one of the best human rights organizations in the country and I might say that on an international scale Canada ranks extremely high in terms of being a country that protects people's human rights.

Let me say that the matter which the honourable member is bringing up is something that took place in the past. I believe that all of these matters were fully investigated, as I have indicated on previous occasions in the House, and I do believe that it is time now to set aside what happened in the past and begin looking forward to building a stronger and more independent human rights commission for the future.

Mrs Marland: It is unbelievable that this minister wants to build a future on such shifting sands. I cannot believe his answer. I want to ask the minister one more time, does he believe that he is acting in the best interests of human rights in this province when he condones what he now knows went on at the Ontario Human Rights Commission without even giving that person a right to come and speak to the full and public

inquiry which was promised to the people of Ontario?

Hon Mr Wong: When the honourable member raises such a complicated issue which has many facts and many allegations surrounding it, and when the honourable member finds an allegation or a statement that may not be consistent or may not support the conclusion that she is looking for, I can understand why she would ask this question. But the forum which we used in order to fully investigate these matters was the standing committee. To add to my responses to the honourable member in the past, let me once again remind her that not only was she a member of that committee but she had the opportunity to ask the questions that would be relevant to determining the appropriate answers.

Mrs Marland: The minister is not only insulting the people who sit on that committee who do not believe in stonewalling; he is insulting the people of Ontario who believe in, indeed have fought for, human rights. How ironic that we spoke earlier today about Remembrance Day. I think the minister should be ashamed of his nonanswers.

The Speaker: And now the supplementary.

Mrs Marland: I will ask him one more time, is he going to follow up on his previous statement, and indeed the motion of his government House leader in this House, to allow full and public open hearings at the standing committee that he just referred to, which I will call the stonewalling committee? Is he going to allow the deception to continue or will he have full and open hearings where everybody has a right to be heard on both sides of the issue?

Hon Mr Wong: The honourable member presented me with documents here, one a 12-page letter which was dated 10 May 1989, six months ago. Let me again indicate that, to the best of my knowledge, this correspondence and this information was fully investigated by the respective—

Mrs Marland: It was not. That's the whole point. It has not been investigated.

Hon Mr Wong: If it was not, then the honourable member certainly had the opportunity during the standing committee hearings to raise these questions.

RETAIL STORE HOURS

Mr Philip: I have a question to the Solicitor General. Now that Paul Magder and Hy and Zel's and others have been rebuffed by the Supreme Court of Canada and the minister clearly has the

constitutional right in this Legislature to close stores on Sundays, and now that certain large chains have said that they intend to flout that law which was passed by the Legislature of Ontario, is it the intention of his government to seek an injunction against those people who have indicated their intention to break the law?

Hon Mr Offer: Dealing with the question at hand, I am aware of the media reports of the past couple of days. Let me indicate that in dealing with that particular act, or indeed any other act, the question of policing is within the responsibility of the local policing authorities. They are the ones charged with the responsibility of investigating any allegations of breach of any law. They are the ones who, after such investigation and determination of evidence, decide whether or not to lay a charge. That is the responsibility of the municipal policing areas and that is what they in fact do.

Mr Philip: It is interesting that when the bill was passed the government said it was not passing the buck. Now it says it is passing the buck to the municipalities. Is the Solicitor General aware that in the absence of no minimum fines many of the companies which have been violating the law are getting little more than slaps on the wrist, or indeed no fine at all, for violating his Sunday store hours act?

Is the Solicitor General prepared at least now, at this point when some major chain stores have indicated that they intend to flout the law and disobey a law passed by this Legislature, to amend the act to at least have a minimum fine so that the stores will understand that it will cost them if they intend to flout the law of the province?

Hon Mr Offer: I think what must be indicated, and apparently reiterated, is that the particular legislation and law which the member alludes to does carry with it substantial fines. It does carry with it substantial penalties.

The question of policing is not a matter of passing responsibility, but in fact policing is the responsibility, acknowledged and accepted for years and years historically, of whatever local municipality it is, be it a municipality, the OPP or a regional municipal police force. That is where the responsibility for policing rests. That is a responsibility which is accepted after examination of an allegation, seeing of evidence and determination of whether charges ought to be laid. That is where it is and that is where it ought to be.

COMMUNITY COLLEGE TEACHERS' LABOUR DISPUTE

Mr Jackson: My question is to the Minister of Colleges and Universities. Today is the 23rd day of the province-wide community college strike and it is in fact the 17th school or academic day that has been lost by Ontario's 110,000 community college students. I would remind the minister that in a similar strike in 1984 it was on this very same 17th day that the College Relations Commission advised the government that there was going to be a finding of jeopardy, that students' academic years would somehow be missed.

Since we have not heard any announcement from either the minister or the commission, could he please explain to this House what has changed in five years?

Hon Mr Conway: I want to thank the honourable member for providing me with an opportunity to report to the House this afternoon on what I believe to be the latest information with respect to the ongoing withdrawal of services in the Ontario community college system, and that is that as of two o'clock this afternoon the mediation talks were ongoing and at that point in time I had not received any advisement or finding of jeopardy in that particular dispute.

1450

Mr Jackson: It is very clear from this minister that the only intervention he is going to consider will be as a result of there being a finding of jeopardy. He has made that statement very clearly, but there is still no ruling forthcoming today. We still do not have a clear statement. Yet previously his government while in opposition had absolutely no difficulty in using the 17th day as an acceptable benchmark.

The minister has been receiving hundreds of calls. I have been receiving hundreds of calls. Every member of this House has been receiving calls from students who believe their school year is in jeopardy. Why it is so inconceivable that we would have a Minister of Education who somehow knows how to respond to the issue of when a community college education is in jeopardy in this province?

We would like to know from the minister to what extent he can inform this House when a community college student's academic year is in jeopardy. He obviously does not agree it is on the 17th day.

Hon Mr Conway: I want to be very clear and very consistent in reminding the House that in so far as the jeopardy issue is concerned, it is the

responsibility under the act of the College Relations Commission to make that finding. At this point in time, the commission has not advised me of such a finding of jeopardy. Moreover, I want to inform the House this afternoon of what I informed the teachers roughly 24 hours ago, and that is that I do not intend to relieve the responsible parties to this dispute of their obligations under the collective bargaining process. I expect those parties, in the interests of the students and of the community college system, to meet their obligations to settle this at the table and to settle it soon.

RETIREMENT COMMUNITIES

Mr Owen: I have a question for the Minister of Consumer and Commercial Relations. On 11 May of this year, I introduced a resolution concerning retirement communities that received unanimous support from this House. Sandy Cove Acres in my riding is the largest and the oldest of these retirement communities in this province. Although it is a good lifestyle for those who choose to live there, they have many concerns that are common to retirement communities across this province that need to be addressed.

My question to the minister today is, could he update us as to the status of his ministry's involvement in this issue? Where are we going?

Hon Mr Sorbara: I want to tell my friend the member for Simcoe Centre that because he gave me notice of this question I had an opportunity to review the debate that took place on his private member's resolution, and indeed some 60 members were in the House when that resolution was passed. Members will know that retirement communities are rather unique under the law of the province in as much as the land is generally owned by a landlord and land is rented to individual retirees, families, couples or individuals. Then they purchase a home and place it on that leased land.

My friend the member for Simcoe Centre, during the debate and elsewhere, has brought to the attention of the government a number of specific problems that affect the general retiree who is living in one of these retirement communities. I want to tell him and the rest of the members of this House that we have had ongoing consultation with the Provincial Association of Retirement Communities, and we in the ministry are looking at some of the very issues my friend from Simcoe Centre has raised. It will be perhaps another two or three months before I have an opportunity to report more fully to him and to the House on the matter.

Mr Owen: There are some specific concerns that are fairly prominent for the people who live in these areas. They are concerns that deal with tenure arrangements, life leases and the right of resale of these units. The people living there are having difficulties and problems with these specific issues. I understand that the minister is looking at a review of the Condominium Act of this province. What is the timing of that and will he give us some assurance that these problems can be incorporated into the proposed changes to the Condominium Act?

Hon Mr Sorbara: There is probably no one in the House who knows more about these issues and has studied them more than the member for Simcoe Centre. He mentions problems that exist under the Landlord and Tenant Act and taxation issues. We are reviewing the Condominium Act and I anticipate being in a position to introduce amendments to the Condominium Act, perhaps next year late in the spring session of this Parliament.

It is not quite clear yet, I must say to the member for Simcoe Centre, that all the issues he knows about with respect to retirement communities can be addressed under the Condominium Act, or whether indeed that is the most appropriate piece of legislation. I want to assure him that as we examine the amendments we are going to be making to the Condominium Act, we certainly are going to keep in mind the issues that confront our senior citizens living in these retirement communities. I appreciate the attention he has given to those issues and the manner in which he has brought them to the attention of the ministry.

AUTOMOBILE INSURANCE

Mr Kormos: I have a question to the Minister of Financial Institutions. Rick Heaslip, a 40-year-old Scarborough driver, called this week to tell me that Allstate was not going to renew his \$1,200 insurance policy for his car, but that new coverage had been arranged for a fee of some \$3,000 for his auto insurance premium. The minister knows that Mr Heaslip is being forced into the Facility Association, which has premiums three, four or however many times greater than the regular market, premiums in the many thousands of dollars.

The number of people in the Facility has more than doubled in the last year because insurers are not renewing their policies. What is the minister going to do to ensure drivers have access to regular insurers?

Hon Mr Elston: I thank the honourable gentleman for the new case and I will certainly

take a look at it, as I looked at the case yesterday of Mrs Cerullo. I found out that the facts were correct, that she did have increases, but she also added a second vehicle to her coverage at the same time. That is what I found out. I can tell the honourable gentleman that having doubled the coverage, having two vehicles, and then moved on, and there is no question—

Interjections.

The Speaker: Order. We all have different points of view. I have heard on many occasions different members expressing different points of view, so would the minister continue with his response.

Hon Mr Elston: When I have the examples, I go back and take a look at them and I see what the reasons for the changes have been. That is what I can do and that is what I will continue to do. I will look into the example that has been given to me here to find out exactly what has changed, if anything. I will attempt to get to the bottom of each case. That is what I have found out with respect to the one instance that the member mentioned yesterday. I can tell the member that every time he mentions an instance, I will go back and get as much information as I can to find out exactly what has occurred.

I can tell the honourable gentleman that he is right that the Facility Association coverage has grown and that does concern me, but I can tell him that with the new product, we are looking at being able to manage how people practise their underwriting activities. With the new commissioner, there will be a way in which he or she can intervene to assist the purchasers of insurance product in Ontario. That is why we want to get on with the legislation. I thank the gentleman for demonstrating the urgency required.

Mr Kormos: What a crock. The minister does not know what he is talking about. Catch this, Mr Speaker; catch this. This is from Don McKay, the general manager of Facility Association, who tells us in his third quarterly report of this year that Facility Association coverage is going to increase under the government's new scheme, not decrease.

He writes that if the legislation proceeds as it is presently drafted, it is highly likely that underwriters will use avoidance tactics on such classes as seasonal workers, small self-employed contractors, unskilled labourers, workers in the hospitality sector and a host of other similar occupations. They are going to use avoidance tactics, and do you know why, Mr Speaker? Because—

Interjections.

The Speaker: Order. Order. Do you know what that means? Would you ask your supplementary, please.

1500

Mr Kormos: Thank you, Mr Speaker. I was getting right to it.

They are going to use avoidance tactics. The number of people in the Facility is going to increase—that is what the manager of the Facility Association says—because of the government's new scheme. What does the minister have to say about that? Is he going to feed us more crap like he has earlier today?

Hon Mr Elston: I want to thank the honourable gentleman for being his unusual moderate self again today. He has a way of being theatrically inclined when the cameras pop on him, but let me get down to business.

If he checks what Mr McKay said, I believe it probably was that if the situation goes along without amendments, the Facility will continue to rise. I do not know that is the case, if Mr McKay said that to him. I will check it out and verify what was said, but that is what I have interpreted Mr McKay to be communicating to our ministry. I can tell the honourable gentleman that we will verify the factual things that he brings in front of the House and that for his benefit we will respond to him by providing the circumstances that perhaps have not been uncovered. But no matter what, we have to get on with the legislation—

The Speaker: Order. Would the member—new question.

Mr D. S. Cooke: You want an even hand in this place, Mr Speaker.

Interjections.

The Speaker: Order.

AGRICULTURAL INDUSTRY

Mr Villeneuve: My question is to the Minister of Agriculture and Food. As part of his ministry's review background paper Toward 2000 on priority planning, there are increasing fears in the agricultural community that as a result of this particular review and of cuts in the ministry's budget, county agricultural offices will be closed and/or consolidated as part of that plan. Can the minister today clearly state, for example, that the Dundas county Ontario Ministry of Agriculture and Food office in eastern Ontario will not be closed or amalgamated with another county office?

Hon Mr Ramsay: I would like to assure the member that I have no plans to close the Dundas county office. I would like to tell the member a little bit about the priority planning process. I have been to many of them across the province. I am going to Ridgetown tonight to participate in the one there. We find them very constructive. Farmers and processors and other participants in the agrifood industry have been contributing their opinions on the challenges that face our industry and also have been giving us some advice on what program response we should be giving our clients in the next decade.

Mr Villeneuve: I thank the minister for confirming what was a very big question out in my constituency. There was a very serious cut of \$57 million in the budget amount allocated to the ministry last year. The meeting I attended with the minister yesterday clearly outlines that agriculture and in particular grain producers are going to be in serious trouble in the next two or three years. Could the minister advise this House and the agricultural community of Ontario what he plans on doing towards finding new uses for crops, probably oriented towards cleaning the air in Ontario.

Hon Mr Ramsay: I think one of the major roles our ministry can play in assisting farmers is to find new avenues to market the different crops we grow in this province. I think members would find it very interesting that we grow 200 different commodities in this province compared to 80 in the state of Michigan. We have a very diverse and incredible supply of commodities that we produce in this province and I think one way we can work with our producers is in marketing.

DRIVERS' LICENCES

Mr Daigeler: My question is to the Minister of Transportation. Recent statistics from the Queen's University research department indicate that young people between the ages of 16 to 24 account for 31 per cent of traffic fatalities and 33 per cent of traffic injuries, although they represent only 17 per cent of Canada's population. In addition, traffic accidents remain the single most common cause of death among people of this age group.

My own 14-year-old son probably will not like me for asking this question, but for his own benefit and for the benefit of young people generally, I would like to inquire from the minister whether there are any plans to raise the driver's age to 18. Such a measure, which is common in other countries, in my opinion would at least ensure that drivers—

The Speaker: Thank you. Your question has been asked.

Mr Daigeler: —have another two years of maturity.

Hon Mr Wrye: The honourable member raises a very important issue. I can tell him that the issue has been raised from time to time and has been rejected in the past. Certainly, I can tell him today that we are not considering raising the driving age in the province.

But he does raise an important question and the kinds of problems and the statistics he quotes are absolutely correct. There are really two basic reasons for it: poor driver attitude and driver inexperience. That is why, as part of the package of safety reform we are looking at in terms of driving, we are examining very closely the system of graduated licensing. Such a system is now in place in California and Maryland with positive results.

It would give a driver an opportunity to begin driving in a number of areas. It might limit the number of passengers. It might limit driving at night. It might limit driving to certain kinds of roadways at the beginning and gradually, in a sense, through the experience of driving in all sorts of conditions, allow the driver to get on-the-highway, on-the-roadway learning. That is the kind of initiative we are looking at for the future.

Mr Daigeler: I am glad the minister is taking this matter very seriously, because after all lives are at stake here and especially the lives of our young people. Now, in view of the initiatives that are already under way, is the minister prepared—again, it is being done in some other countries, especially European countries—to consider making drivers' education with licence features mandatory at least for the people in the high-risk age group?

Hon Mr Wrye: The issue of driver education has been canvassed and quite frankly today, particularly among a large number of our young drivers, the majority of them have taken some kind of professional driving education on a voluntary basis. That number continues to grow as new drivers come on to our roads. The problem is that once having learned the proper rules of the road, they do not always choose to adhere to those rules in the early part of their experience as drivers.

One of the things we are looking at, I can say to the honourable member, is the issue of driver education as a way of moving more quickly through the graduated driver system. Such a system is one we are very interested in exploring;

that is, we are looking at having driver education as one aspect of the implementation of a graduated driver system in the future in this province.

COMMUNITY COLLEGE TEACHERS' LABOUR DISPUTE

Mr Allen: The studies of college students in the midst of a strike can be in jeopardy for quite nonacademic reasons that might well escape the College Relations Commission. I want to ask this question of the Minister of Community and Social Services, who might be surprised to be getting a question on this subject.

A number of students have come to me from Mohawk College who are in the family benefits supported programs and who are very nervous about deadlines on the day care subsidies they face: no day care—it is quite as simple as that—no day care, no studies for them, program in jeopardy. As the major funder of day care in the province, the minister has great power to affect the circumstances these students face. Can he assure them that their day care subsidies will remain intact throughout the cessation of studies, until they can resume studies once more.

Hon Mr Beer: This question has come up and was one I was concerned about in terms of what happened to those students. It is my understanding that while the individual is a student in good standing at the institution, that subsidy continues and there should be no change in that situation. I am not aware at the present time of any specific action that has been taken to limit that. I believe they continue to keep the assistance because what is going on is not related to any decision they themselves took. Obviously, if they were to leave or go to some other part of the country, that would be different in that regard, but not while they are still there.

1510

Mr Allen: I am sure that will be a significant assurance to them. As the minister knows, many mature students undertake a tremendous readjustment to their lives to get back to college and require a number of support mechanisms to stay there. Quite astonishingly—I know this is not the minister's direct responsibility—students supported by workers' compensation, for example, who require a transportation allowance, summarily had their transportation allowance removed from them the moment that the strike began, even though they are encouraged to attend college in order to maintain an attendance record.

I want to ask the minister—this is a multi-ministry kind of question—whether he will take

this entire question of the maintenance of student support systems to his cabinet colleagues to ensure that support systems like day care, travel allowances and so on will not disappear for students in the present circumstances and jeopardize their studies.

Hon Mr Beer: Yes, I certainly would take that to my colleagues. I think that in situations where students are receiving support, and specifically in the day care area, if actions have taken place that do not directly include them, it is not their fault that this situation has arisen, then we have a responsibility to ensure that something as necessary as the day care continues. I appreciate the broader context in which the member put that question, and I think it is one that would be very worth while for us to look at in more detail.

MINISTRY NAME

Mr Sterling: I have a question for the member for Wilson Heights. Could he please tell me what the name of his ministry is?

Hon Mr Kwinter: I am somewhat grieved to understand that the man who is my critic does not know the name of the ministry he is criticizing. Just for his edification I would like to spell it out in as simple terms as I can, in words of one syllable hopefully; it is the Ministry of Industry, Trade and Technology.

Mr Sterling: Is it true that his ministry has very recently discarded 10,000 brochures telling what the ministry does because it was incorrectly entitled the Ministry of Industry, Trade and Tourism?

Hon Mr Kwinter: I am not aware of that particular situation. I am sure that members, particularly of the third party, will remember that was the name of the ministry at one time. I do not know whether these were old brochures that were produced by the member's particular government when he was in that position. I do not know, but I will be very happy to look into it for him.

FRENCH-LANGUAGE SERVICES

Mr Dietsch: My question is to the Minister of Community and Social Services, who is responsible for francophone affairs. On 19 November, as the minister knows, the right to receive French-language services provided by Bill 8, the French Language Services Act, will come into effect. Several of my constituents have expressed to me some of their concerns surrounding the bill, and in particular official bilingualism. I would like to ask the minister if this government, in his opinion, is in effect proceeding to official bilingualism.

Hon Mr Beer: I think that both this government and the Legislature were very clear in the enactment of Bill 8 in 1986 in that what we are doing is providing French-language services in designated areas of the province and from the head offices of various government ministries and agencies. The focus is on the provision of those services. It in no way limits the provision of English-language services, nor does it in any way limit any English language rights. What we are doing is providing those services. This is not in the sense of the federal government program. We are trying to target the services to the 85 per cent of the francophone community who live in the designated areas.

Mr Dietsch: There seems to be a great deal of confusion and uncertainty in some areas regarding the implementation of Bill 8 and, in fact, the bill. Will the minister please clarify whether or not there will continue to be equal access to employment opportunities and what the official language of administration of this province is and why information responding to these concerns has not been more readily circulated?

Hon Mr Beer: I regret that there are some who are not as perhaps aware of the terms of the bill as they might be or ought to be. I think there has been a fairly extensive consultation process, certainly with members of the public service.

I know that a lot of informational material has been sent out on the bill; but to be clear, let me say that in discussion with members who have had similar concerns I have made it a particular part of my responsibility to try to get out and speak in various communities, to groups of people, to newspapers, on television and radio, to try to answer the kinds of concerns that are being raised in various areas because I think it is awfully important. People can have legitimate concerns about the nature of the bill, how it might affect their particular careers or what this might mean for the future. I think once one has that opportunity to discuss it, it is a fair and reasonable approach.

Perhaps the commitment I would want to make to the honourable member and to my colleagues is that in the implementation of the bill, we have to show a great deal of common sense and to work carefully and co-operatively with people in those—

The Speaker: Thank you.

EMERGENCY TELEPHONE NUMBER

Mr Pouliot: My question is for the Solicitor General. As the minister surely knows, most small communities across the province are

unable to establish or maintain a 911 emergency system simply because of excessive cost; they want his involvement. His government has established an interministerial committee to look at the situation, but if I may point out, the situation is even more acute in northern communities, which are further disadvantaged by virtue of the great distances between them. When will the minister's ministry begin to implement a system?

Hon Mr Offer: I would like to thank the member for his notice of this question dealing with concerns raised and how best to meet some very important and emergency needs for many people in this province.

Dealing with the implementation of a 911 system, I think it has to be said at the outset that it is a local, municipal initiative. In no one area does a 911 system serve a full OPP type of district. I bring this matter to light because many people feel I should be looking at a 911 system because of the OPP policing and a resource in terms of emergency.

I would like to indicate that dealing with the 911 system is a local, municipal initiative. We are not at this point in time subsidizing. However, we are implementing an OPP telecommunications system, one aspect of which will be a 1-800 number which will provide a single telephone number for all residents in the area so they may be able to access and avail an OPP district officer—

The Speaker: Order. Supplementary.

1520

Mr Pouliot: Obviously, by his answer, the minister is ready for a supplementary. With respect, I see how difficult it will be for the minister to implement the system.

On 16 May 1989, the township of Manitouwadge asked his ministry to inform and assist them on the findings of the interministerial committee; that is a full six months ago. I am not asking the minister to carry the guilt. He is new in his tenure. We want to wish him well. His record is somewhat immaculate. I mean, he has not had a chance to do anything yet.

An hon member: Don't go overboard.

Mr Pouliot: No, but the fact of the matter remains that we need direct action; without the minister's help, without his involvement, it will be impossible to implement the much-needed, much-recognized 911 emergency system up north. We want to be like the minister; he should come on side. What does he tell the people of

Manitouwadge, among others? Can they believe him? Can they trust him? If so, when?

Hon Mr Offer: It is a very important issue which the member has brought forward. Basically, with the 911 system, what that system does is provide a single telephone number to be used in terms of emergency. As I have indicated, that is really a local, municipal type of initiative.

However, I think there is a need to provide that single telephone number in terms of emergency, and in times of emergency, through the OPP telecommunications system, which we are in the midst of implementing at this very time; it will service all of the OPP districts, primarily in the northern portion of the province. That type of telephone number will be available to be able to meet the needs, the concerns and the emergencies of the people in the area.

SKILLS TRAINING

Mrs Cunningham: I have a question for the Minister of Education. The Ministry of Skills Development introduced a program called Transitions on 4 August 1987, designed to provide retraining assistance to older workers. In 1987 that program had a budget of \$14 million; the ministry was able to spend some \$284,000. In 1988 it had a budget of some \$8 million and was able to spend \$1 million. From the estimates, it looks as if the budget this year will be \$4 million, which is not a tremendous commitment to the program on behalf of his government.

Over 35,000 workers aged 45 to 64 are unemployed in this province in any given month. Older workers would like to know what the minister has done with some \$20.7 million that was earmarked for them yet not spent in the last two years.

Hon Mr Conway: I want to say to my friend the member for London North, the putative candidate for the leadership of the third party, that this government has a very strong commitment to assisting older workers. She is quite right about the Transitions program, which by the way we have expanded in terms of eligibility, not just to workers 45 years of age or older who are on layoff but also to include those who have received a notice of layoff.

One of the difficulties we have experienced is that the participation in that program has not been to a level that the government would like to see, and we at the Ministry of Skills Development are currently embarking upon an active program of public information to try to encourage a greater participation.

We are quite prepared to spend the moneys we have budgeted, and more, in meeting the need, but we must of course have people participating in the program. That is why we have expanded the eligibility, and that is why we are currently embarked on a public awareness program to make this excellent offering as widely available as we possibly can.

MOTIONS

DISCHARGE OF BILL 36

Mr Ward moved that the order for third reading of Bill 36, An Act to revise the Public Service Superannuation Act, be discharged and that the bill be referred to the standing committee on general government.

Motion agreed to.

REFERRAL OF BILLS 64 AND 65

Mr Ward moved that standing order 72 be waived with respect to the consideration of Bill 64, An Act to amend the Education Act and certain other Acts related to Education Assessment, and Bill 65, An Act to amend the Ottawa-Carleton French-Language School Board Act, 1988, by the standing committee on social development.

Motion agreed to.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Ward moved that in addition to its regular meeting days the standing committee on finance and economic affairs be authorized to meet on any two days agreed upon by all of the recognized parties on the committee to consider Bill 46, An Act to establish a Commercial Concentration Tax, and Bill 47, An Act to impose a Tax on Employers for the purpose of providing Health Care and to revise the requirements respecting the payment of Premiums under the Health Insurance Act.

Motion agreed to.

INTRODUCTION OF BILL

BUSINESS INFORMATION STATUTE LAW AMENDMENT ACT, 1989

Mr Ward, on behalf of Mr Sorbara, moved first reading of Bill 79, An Act to amend Various Statutes in connection with Information to be filed and records to be kept by Corporations and Limited Partnerships.

Motion agreed to.

ORDERS OF THE DAY

TORONTO BAPTIST SEMINARY AND BIBLE COLLEGE ACT, 1989

Mr Kanter moved second reading of Bill Pr29, An Act to amend the Toronto Baptist Seminary Act, 1982.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF IROQUOIS FALLS ACT, 1989

Mr Sterling, on behalf of Mr Pope, moved second reading of Bill Pr31, An act respecting the Town of Iroquois Falls.

Motion agreed to.

Third reading also agreed to on motion.

GRAND VALLEY RAILWAY CO INC ACT, 1989

Mr McClelland moved second reading of Bill Pr33, An Act respecting Grand Valley Railway Co Inc.

Motion agreed to.

Third reading also agreed to on motion.

ONTARIO HOME ECONOMICS ASSOCIATION ACT, 1989

Mr Ward, on behalf of Mr J. B. Nixon, moved second reading of Bill Pr35, An Act respecting the Ontario Home Economics Association.

Motion agreed to.

Third reading also agreed to on motion.

1530

CITY OF OTTAWA ACT, 1989

Mr Sterling, on behalf of Mr Chiarelli, moved second reading of Bill Pr38, An Act to dissolve the Board of Trustees of the Ottawa Charitable Foundation.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF GUELPH ACT, 1989

Mr Ferraro moved second reading of Bill Pr42, An Act respecting the City of Guelph.

Motion agreed to.

Third reading also agreed to on motion.

EAST YORK-SCARBOROUGH READING ASSOCIATION INC ACT, 1989

Mr Polsinelli moved second reading of Bill Pr48, An Act to revive East York-Scarborough Reading Association Inc.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF ETOBICOKE ACT, 1989

Mr Riddell, on behalf of Mr Henderson, moved second reading of Bill Pr50, An Act respecting the City of Etobicoke.

Motion agreed to.

Third reading also agreed to on motion.

ASTCAM CO LIMITED ACT, 1989

Mr Sterling moved second reading of Bill Pr51, An Act to revive Astcam Co Limited.

Motion agreed to.

Third reading also agreed to on motion.

COURTS OF JUSTICE AMENDMENT ACT, 1989

(continued)

Resuming the adjourned debate on the motion for third reading of Bill 2, An Act to amend the Courts of Justice Act, 1984.

Hon Mr Ward: Mr Speaker, I would like to advise members that by prior agreement of the House leaders, the vote on Bill 2 and Bill 3 will take place at 5:45 pm on Tuesday.

The Speaker: We will certainly keep that in mind, as long as the debate is finished, and I am sure you will advise us again at that time.

Mr Kormos: It is a little bit difficult; it is never fun to have to go a full 24 hours. What it does is it gives you a chance to get a little bit of feedback from the people who watch this, and it is incredible how many people watch the provincial Legislature.

I talked to folk down in Welland-Thorold last night who indeed were watching; who were watching when the Liberal member for Brampton South (Mr Callahan) jumped up and squealed out, "Point of order, Mr Speaker, point of order." The folk down in Welland-Thorold said, "Boy, you must have touched a nerve." I said, "Gosh, you really think so?" And they said, "Well, why else would the member for Brampton South have jumped up and squealed, 'Point of order, Mr Speaker, point of order,' when all you were doing was talking about the pathetic history that this government has of not consulting with the community, with the public, when it comes down to important legislation, least of all consulting with those very people and groups of people in the province who upon whom the legislation will have a direct impact?"

What I was talking about was how I very specifically recalled being at committee hearings

wherein the committee—albeit in an abbreviated way, because the government members would not permit the numbers of injured workers and injured workers' groups to make submissions to the committee about Bill 162. Indeed, they were denied the right to make those submissions. But I was present with the committee when the committee was in Hamilton, and I recall each and every one of those groups of injured workers and trade unionists appearing before that committee making submissions about Bill 162, the horrible act that amended the Workers' Compensation Act, because the government, the Ministry of Labour, at taxpayers' expense, had published a pamphlet saying, "We've consulted with injured workers in Ontario." There it was in black and white, paid for by the taxpayer, published by the government.

Quite frankly, I wanted to check the veracity or truthfulness of that statement. I wanted to find out whether that statement by the government was truthful or whether it was a blatant, outright lie. I wanted to find out whether that statement by the government that indeed it had the misfortune of publishing was truthful or whether it was an outright prevarication. I wanted to find out whether that statement by the government that indeed it had consulted with injured workers' groups was truthful or indeed whether it displayed the complete bankruptcy of this government when it comes to any form of integrity.

I sat and listened carefully as members of that committee, our members, people like the member for Sudbury East (Miss Martel) and the member for Hamilton East (Mr Mackenzie) questioned the delegations there and said, "Look, we got this brochure printed at taxpayers' expense by the Ministry of Labour that says that the government consulted people like you, injured workers' groups and trade unionists, before it put this horrible bit of legislation before the House." Each and every one of them said: "Well, we've never heard from the Ministry of Labour. We were never consulted. We never heard from government. Can't for the life of me think of what you were talking about."

Mr Polsinelli: Point of order.

The Deputy Speaker: Point of order.

Mr Kormos: I am sorry, Mr Speaker, there is a point of order again.

Mr Polsinelli: On a point of order, Mr Speaker: Perhaps the member for Welland-Thorold is confused. We are talking about Bill 2 today, third reading, not Bill 162.

Mr Kormos: Thank you, Mr Speaker. I am not confused. I am talking about a history of deceit.

Mrs Sullivan: On a point of order, Mr Speaker.

Mr Kormos: Here we go, Mr Speaker.

The Deputy Speaker: Point of order.

Mrs Sullivan: I have been listening to the words of the member for Welland-Thorold and I really am quite concerned that he is using words that are tantamount to the breaking of the standing orders. I would like you to make a ruling and ask him to be more cautious with his language.

The Deputy Speaker: Yes, the member for Welland-Thorold is close to the edge of unparliamentary language, but I would invite him to be more cautious in the future. It is not unparliamentary but it is darned close to it.

Mr Kormos: Praise the Lord, Mr Speaker.

In any event, I sat there and listened as these groups that the government insisted had been consulted were asked by members of that committee, New Democratic Party members, "Were you consulted?" Each and every one of them said no.

"Well, have you heard of anybody who has been consulted?" They said, "No, not really." "Well, spend a few more moments thinking about it and tell us if you know of anybody who has been consulted. Have you heard any rumours about anybody being consulted?" "Well, no, not really."

You can bet your boots, Mr Speaker, that I drew some conclusions about whether or not that statement by the Ministry of Labour, by the government, as to its having consulted injured workers, was truthful or a lie. So did all those people who participated in those hearings who were confronted with that same question, and so did members of the public across Ontario. They drew some clear conclusions.

This brings me to my concern about this legislation, because in the committee when we pleaded with the government on behalf of groups like the Advocates' Society, the Criminal Lawyers' Association and the Canadian Bar Association—Ontario Branch, which wanted but a few more weeks to prepare its comments about this bad bit of legislation—we pleaded with the government to give these people the few more weeks they were asking for. These are honourable, legitimate groups in our community which want an opportunity to help the government in its misguided but none the less real efforts to change the court structure. The government said, "No, you can't have a couple of weeks."

The bill was only just presented to the House on 1 May, when it obtained, of course, first reading, and then through the summer months it was all greased up, like the proverbial pig, and slid through. Yet, Mr Speaker, believe it or not, once again, government members, their mouths moving and the strings being controlled, their legs and arms flopping, insisted in front of that committee: "Oh, of course there has been consultation. There is always consultation."

The Criminal Lawyers Association does not think there has been consultation. The Canadian Bar Association of Ontario does not think there has been any consultation. The Advocates' Society does not think there has been any consultation. They have only just had their first opportunity to look at this bill. What the government did was throw in at the last minute a whole bunch of amendments that the associations had no opportunity to review. So where is the consultation? Who was the government consulting with? All those same people whom the government said it was consulting with denied having been consulted. Somebody is not telling the truth.

I leave it for you members to conclude whether it is the Criminal Lawyers Association, the Canadian Bar Association of Ontario and the Advocates' Society—I leave it to them to determine and conclude who is not telling the truth, because they both cannot be right. That is clear.

Mr Sterling: On a point of order, Mr Speaker.

The Deputy Speaker: A point of order.

Mr Sterling: We were asked to debate Bill 2 and Bill 3 in the absence of the Attorney General (Mr Scott), but when there are only six out of 94 Liberal members here, I think it is incumbent on me to call for a quorum.

The Deputy Speaker ordered the bells rung.

1544

Mr Kormos: We were talking about consultation and the complete absence of it. Maybe I should not have been as shocked as I was when I heard that the government insisted it consulted with these groups and when I heard these same groups insist they had not been consulted with and indeed wanted to participate but needed merely a few more weeks to prepare their submissions, because we are getting the same drivel when it comes down to Bill 68. That is the auto insurance legislation that the auto insurance companies wrote, the bill that is going to screw drivers in Ontario out of most of the benefits that they could ever obtain through their insurance

policies, the one that is going to guarantee that 99 per cent of innocent, injured accident victims in Ontario do not get one penny, not a cent, not nickel, not a dime for their pain and suffering, for their loss of enjoyment of life.

Once again, we listened to the government insist that it has consulted about that bill, when in fact it has not. We know it has not. To suggest that it has consulted anybody about that bill is the most misinformed statement that anybody could ever make.

Wait a minute, Mr Speaker. I have to concede it consulted. It consulted the auto insurance companies. There are no two ways about that. But it did not consult a single member of the public, and what is really scary is that the government plays games with the business of committee hearings, the government engages in its little shenanigans because it controls the committee process.

The committee process can be so valuable. The government controls the committee process, and what is scary is that the government may but pay the slightest of lipservice to that bill, Bill 68, the insurance companies' bill; the one the auto insurance industry wrote; the one that is going to make sure the premiums keep going up for drivers; the one that is going to make sure that the profits certainly go up but the one that is going to make sure that injured people do not get the benefits and the compensation they deserve; the one that the government consulted with the auto insurance industry on, not with the public.

What I find fearful is that the government is going to rig up a show trial, one that would make Stalin jealous. "The joke is on you, pal, because the committee hearing about Bill 68 is over. We know it started five minutes ago, but we've just deemed it to be over."

That is what is scary, because really, if you are going to have consultation, if the government is telling the truth—and sometimes some of us become sceptical about the capacity to do just that on the part of the government—but if it is telling the truth and if it does not want to be perceived as a liar and a scoundrel and a prevaricator, then it would have committee hearings to discuss Bill 68, this new auto insurance legislation, the threshold scheme, the one that is going to jack up profits for insurance companies, the one that is going to put the boots to drivers in Ontario.

It would have committee hearings, it would consult with the public, it would consult with drivers, it would consult with people across Ontario and it would make sure that the

committee did not just sit here in Queen's Park so that only the people in Toronto could get to it, but it would make sure that the committee went all over Ontario, visiting communities like Welland-Thorold down in the Niagara Peninsula, visiting communities that are in seats held by Liberal members, visiting northern Ontario, visiting the east of Ontario, visiting the west, as well as Toronto.

The only way that type of consultation is going to effectively take place is if the government is honest when it says it is going to consult and if it permits that committee considering Bill 68, that horrible auto insurance legislation, to travel all over Ontario for as long as is necessary to hear the people of Ontario. Otherwise, there has been no consultation and any suggestion that there has been after that will be a bold lie. There will have been no consultation if that is not done.

Mrs Sullivan: On a point of order, Mr Speaker: I believe on this occasion the member was clearly unparliamentary in his remarks.

The Deputy Speaker: Clearly what? I am sorry, I did not hear you.

Mrs Sullivan: Out of order.

The Deputy Speaker: Again, I shall remind the member. Please, it is not the first time, but I am sure it will be the last time I will recall.

Mr Kormos: Mr Speaker, I am hoping, along with you, that it will be the last time, because I know when I am getting close to the edge, but I can tell the difference between being close to the edge and looking over it and falling over it. I will be the first to let you know if I have fallen over.

In any event, if that were to happen and people across Ontario were to say: "We've been had again. We've had it done to us. We've been betrayed. We've been deceived"—that is what people are going to say. What people are going to say across Ontario is, "We've been lied to," if that happens.

1550

I am hoping that does not happen. I am hoping people across Ontario can say, "We have not been lied to." I am hoping people across Ontario will not be able to say, "The government and its members are the most horrid of liars," because I am hoping the government does take its committee across Ontario to let people make submissions about that horrible bit of auto insurance legislation. I am hoping the government takes its committee across Ontario so that people in Ontario can tell the government, "No, we do not think the insurance companies in Ontario should be making incredible profits at our expense."

I am hoping the government takes that legislation across Ontario so that people across Ontario can tell this government, "No, you are wrong to be listening only to the auto insurance industry. Oh, we know they pay your election debts by virtue of campaign contributions," and they did back in 1987 in the general election, "but that is not a good enough reason for you to be but little lackeys, little servants, of that industry."

I am not sure if that can be said any more about Bill 2, because the consultation that the government speaks of and puffs out its chest about, that consultation did not take place. Maybe the people who say that were merely misinformed. Lord knows, we hear enough misinformation. If one were cynical, one would call it disinformation. But we hear enough misinformation in this Legislature on a regular basis from the people across the way.

Bill 2 is, even at that, a pretty pathetic response to real problems. This government has been told time and time and time again what is going on down in communities across Ontario, and the reason people feel compelled to tell them it is going on is because oftentimes there is a very clear impression left here in the Legislature that the government people do not get out into the real world; that they, indeed, are the victims of their own little fantasies about what is going on out there.

Courtroom facilities for big chunks of Ontario, real courtroom facilities, effective ones, are simply nonexistent. Look at the situation with the judges. Granted, there are some types of judges that only the federal government can appoint, but there are other judges that the provincial government has to appoint, such as provincial judges of all ilks and justices of the peace, and this is solely within the jurisdiction of the province.

The government is being told, virtually day in and day out, that there is a shortage of judges in the province and that this shortage is creating a backlog. I will tell the House this—and the government knows this; it is not too eager to tell it and, indeed, is liable to deny it when confronted with it—criminals are being set free because of the provincial government's, this government's, the Liberal's government's, inaction on real problems in the courtroom, on shortages of judges and shortages of courtroom space.

Why are they being set free? Because their trials are taking inappropriately lengthy periods of time to come to a head and the judge at that point has no option but to dismiss the charge and send criminals out on to the street; not because they have been found not guilty, not because

there was no evidence, not because they were not drug traffickers destroying the lives of children and young people all over Ontario, not because they were not drug traffickers, not because the police did not do their job at great risk to themselves and at great expense to the public, not because the prosecutor was not prepared and ready, willing and able to present the evidence that was going to permit the judge—indeed, compel the judge—to impose a conviction, but because the provincial government does not provide enough judges and enough courtroom space for these trials to be heard in a reasonable period of time.

The provincial government just spent a whole whack of municipal taxpayers' money. From down where I come from, Welland-Thorold in the Niagara Peninsula, we are talking probably about millions of dollars a year when the government abdicated its responsibility for providing courtroom security and forced that cost on to municipal taxpayers, hardworking people like the people from Welland-Thorold, whose property taxes are unavoidably going to go up because this government is not prepared to accept its responsibility, because this government would rather pass the buck than meet the challenge. That is exactly what they did when it came down to courtroom security.

Again, if we are going to talk about reform of the courts, if we are going to talk about reforms that are called for, that are essential, that are timely, if we are going to talk about reforms that are going to serve the real interests of the community, if we are going to talk about reforms that are going to make sure that criminals are properly prosecuted and properly convicted in the appropriate period of time so that they do not walk out of the courtroom free because the Attorney General will not appoint judges and will not provide courtroom space, if we are going to talk about those types of problems, then we should be talking about reform, changes that address those problems.

That is what is so shallow and effete about this crummy little bit of legislation here. It does not address the problems of shortages of judges and a shortage of courtroom space. It does not address the problems of criminals being let loose back on to the street to prey on our children because of the government's inability to provide judges and courtroom space. It does not address that.

It does not address the incredible cost and burden that have just been imposed on municipalities across Ontario, municipalities such as the regional municipality of Niagara, cities all over

Ontario that have their own police forces; it does not address that. Quite frankly, it does not even begin to address who we choose as judges in our provincial courts. It does not begin to address the fact that there is a real underrepresentation of women sitting as provincial judges in our courts. It does not address the fact that there is a real underrepresentation of aboriginal or native peoples sitting as provincial judges in our courtrooms. It does not address the fact that there is a real underrepresentation of nonwhite Anglo-Saxon Protestant types sitting in our courtrooms.

It does not address the fact that there is this interesting overrepresentation of ex crown attorneys sitting as judges, and does not recognize that it is important when you have a provincial bench for there to be a balance; to have a bench that represents the community in gender, in ethnic background, in culture; a bench that is diverse in terms of the legal experience that it comes to the bench with. It does not address this at all.

Real courtroom reform would talk about that, would it not? Real courtroom reform would address these very real problems. Real courtroom reform would be concerned with the realities out there in communities across Ontario rather than with the dilemma of whether you address a judge as Your Honour or Your Lordship or Mr or Madam Justice. What pathetic window-dressing; all show and no go. It is the antithesis of courtroom reform.

Real courtroom reform would have been instituted not just months ago but years ago. Mr Speaker, you know about the experiment in provincial court, civil division—it used to be called small claims court—the experiment that was exclusive to the city of Toronto, upping the jurisdiction to \$3,000, which made the less costly Small Claim Courts accessible by persons seeking remedies up to \$3,000 as compared to the \$1,000 limit in the Small Claims Court servicing the rest of the Golden Horseshoe, including the Niagara Peninsula and Welland-Thorold. What that meant was that people whose remedies involved sums of more than \$1,000 had to go into the costly and expensive and sometimes time-consuming district court or Supreme Court.

It is incredible, because under the guise of courtroom reform, the provincial government holds us hostage and finally addresses the jurisdictional limit of the Small Claims Court when it could have done so easily, so readily, so speedily months ago, without importing all of the

garbage that is contained in Bill 2, quite frankly; all of the scary stuff that is contained in Bill 2.

It is interesting to reflect on some of the things that some of the people who wanted to make submissions to the standing committee on administration of justice talked about. The government has never successfully met the proposition that there is good reason to have two levels of court, a district court and a Supreme Court or High Court—and indeed a provincial court bench as the basic in criminal jurisdiction and, of course, through the Small Claims Court and civil and family jurisdiction—pointing out that different judges may be appointed for different reasons to perform different tasks. I appreciate that the stare decisis that attaches to the rulings of a High Court or Supreme Court judge is not that of a Court of Appeal or Supreme Court of Canada judge.

The parliamentary assistant should recall the submission that was made to the committee that talked about the function of a Supreme Court judge being to establish precedent, guidance, direction for lower court judges, but that by homogenizing these courts that function was eliminated; that indeed what that will do is create delays in setting precedent. It will generate a sensation, not just a sensation but the reality of some anarchy in the court structure and will create an impediment for lower court judges like provincial judges who hear cases on a daily basis and oftentimes not just one case a day or one case every two days or three days but five, six, seven, eight, a dozen, 20 cases a day. That is what provincial judges have to deal with here in Ontario and they work under that kind of burden, yet still have imposed upon them, and rightly so, the highest expectation of fairness and justice.

One is really concerned about the speed with which the government wants to ram this through. There is nothing wrong with doing something quickly, if indeed it can be done properly and quickly; but this has not been done properly, and the parliamentary assistant knows it.

If he is not already, he should be ashamed of the fact that those groups that could have made sound commentary on this legislation were denied that opportunity. They were told: "Go away. We are not interested in what you have to say." Quite frankly, the impression that was left is, "We do not value your judgement."

It is shameful and sad that the government wants to speed this legislation through when it does not even begin to address some real problems inherent in our courts across Ontario: problems of shortage of courtroom space,

problems of shortage of judges, problems of court dockets. We heard only recently of a Brampton judge who had some 20 hours of trial scheduled for a seven- or eight-hour court day. These are impossible burdens placed on our provincial judges who hear the bulk of our criminal matters. Yet, these problems of understaffing, shortage of judges, lack of courtroom space, are they addressed in court reform packages? No.

It seems pretty brazen to even call this material a courtroom reform; putting some new labels on it and shifting some people around. We are left with the same number of judges and the same number of courtrooms and we are left with the realization that nothing about this package is going to speed up the time that litigants can get into court either in civil or criminal matters.

Nothing about this package is going to diminish the number of criminals who are being let out on the street because this government is not interested in providing a structure or a system in which they can be tried speedily. There is nothing in the legislation that talks about real reform, that talks about making sure the face of the provincial bench accurately represents the community that it is working in. There is nothing in this so-called reform that will constitute real reform, ensuring that more women are sitting on the bench, ensuring that more nonwhite Anglo-Saxon Protestants are sitting on the bench or ensuring that the bench was diverse and represented a real cross-section of the community.

It will not admit it, but this government went through a real little crisis when it came time to break its commitment, its promise to the provincial judges of Ontario. That is to say, the Attorney General had written a letter agreeing that the government would be bound by the recommendations made to the government as to something that should be as simple as provincial judges' salaries.

The government screwed that up. That was such a simple, straightforward sort of thing. The promise was easily read. It was in straightforward, plain English and the government screwed that up. The government delayed the process for—

The Acting Speaker (Mr Breaugh): Order. I simply want to draw to the attention of the House that in this House traditionally debate on third reading is somewhat limited. There is nothing in the standing orders which actually limits it. I will soon be seeking some guidance from the House.

I simply want to remind the member that the chair has no intention of intruding on the debate

here, but we are on the verge of kind of establishing, by means of precedent, a new way to treat third-reading debate. If the member has had an opportunity to speak at some length on the matter, I would hope that perhaps he would be near the conclusion of his remarks.

I simply want to draw that to the attention of the members here. If the member is near the conclusion of his remarks, we do not have a problem, but I would remind all members that the tradition of the House is that this debate on third reading is not a repeat of the debate on second reading, and is somewhat different in nature.

If we can conclude this debate this afternoon in that manner, you would assist the chair greatly. If you do not, then I am afraid the chair will have to give this some consideration and make a ruling. I am reluctant to do that, and if the member is near the conclusion of his remarks, that will resolve our problem.

Mr Pouliot: On a point of order, Mr Speaker: I have noticed, through the deliberations, and I have watched very, very closely the member for Welland-Thorold (Mr Kormos) and I quite appreciate, more than the dedication, I think his strict adherence to what is civil, what is decorum and what are good manners. It may not border on the proverbial. He is very much aware of convention and tradition on third reading.

But for those members who have not had a chance to benefit from legislation being broadly summarized, he is about to conclude his remarks and important things are being said here. It is an important piece of legislation. Its ramifications are important and will affect a great many people. Perhaps more important is that our institutions will only benefit from the contribution, the highlights that our friend from Welland-Thorold is gracing and blessing this House with.

The Acting Speaker: I am not quite certain that was a point of order, but I would take the opportunity to comment briefly on the gracings and blessings we have had. The chair is not really impressed with the biblical nature of his remarks to date. I do not think anything is out of order, although that has been raised, I note, by a number of members; it is getting very close.

If you are looking over the edge, be careful. A good wind will put you where you do not want to be. If the member could conclude his remarks now, that would assist us.

Mr Kormos: Thank you, Mr Speaker. I value your comments and your guidance. Of course, I agree entirely with my good friend the member for Lake Nipigon (Mr Pouliot). I should tell you, though, Mr Speaker—and I understand your

comments; they are accurate—it was only yesterday I was reading reference material that indicated that usually on third reading one does not engage in debate unless the legislation is thoroughly unacceptable, inappropriate, bad, indeed perhaps dangerous to the community as a whole.

In those rare circumstances when legislation would constitute a grave error, a serious error on the part of the government, in those circumstances where the fate of so many people will be ill-served by such disgustingly bad legislation, then one does engage in some modest debate on third reading, which is why I am doing it now.

1610

We are voting against Bill 2. I appreciate that some people may find my comments uncomfortable. It really is a matter of whose ox is being gored. I do not expect them to particularly enjoy all that I have to say, but again I appreciate the caution that you have asked me to exercise in that regard, Mr Speaker.

We will be opposing Bill 2. It is a horrid, ill-conceived, stupid sort of thing to do at this point in time. It is dangerous. People have commented on it whose opinion should be held in high regard by members of this House. People like Chief Justice Dickson of the Supreme Court of Canada have suggested that this is not the right thing to do at this particular point in time. District court judges and Supreme Court judges have been critical of this legislation. They have caused us to plead with the government that it consider a reference to the Court of Appeal to test the constitutionality so that folk will not be hurt down the road when they are litigants, perhaps unwilling litigants, in major constitutional litigation.

I am hoping that enough government members will read the legislation to realize how inappropriate it is and either absent themselves from the chamber during the vote or indeed show fortitude and courage and vote against it. Their names will certainly be recorded and reflected upon with admiration and thanks by people down the road.

That concludes my brief comments on this matter. The comment about wind pushing me over the edge makes me think of that little tale about, "I'll huff and I'll puff till I'll blow your house down," but that is not what the Speaker was cautioning me about, was it, Mr Speaker?

Miss Martel: Just to prolong the agony here this afternoon, I want to commend my colleague the member for Welland-Thorold who, of course, has enlivened and enlightened all the members of this chamber this afternoon.

I want to say, though, in all seriousness, his knowledge of the criminal court system cannot be denied, nor can it be ignored. I will not refer to some of his various escapades in that particular jurisdiction. They are well known to members of this House, thanks to the wonderful investigative reporting of the *Toronto Star* in this province.

Let me say in a more serious vein, though, in terms of some of the comments he made around consultation, if I might, I do know that there was a problem on that committee and there were some concerns that people who were very much aware of circumstances in the court system and how it would affect this province should have been given the opportunity to be heard. They asked for a couple of weeks. I think it would have been incumbent upon this government to actually have allowed them to have their say. My colleague has spent a great deal of time talking about Bill 162, which was a classic example in that regard.

In any event, we will not be supporting this legislation, as my colleague has already intimated here this afternoon. I appreciate the comments that he made and put on record concerning our opposition to this particular piece of legislation.

Mr Polsinelli: The member for Welland-Thorold is going to get his two minutes to respond anyway, so I figured I might as well get up and ask him one question. I will be talking about the consultation process, the constitutionality and certain other comments that come up in third reading debate in my wrapup response, but I ask him one question. He indicated that the district court judges are against this legislation. I would like to know where he got that information, because my understanding is that the district court judges want speedy passage of this legislation.

Mr Kormos: The ones I have talked to feel that it is risky, it is dangerous, and have asked me to ensure that we do everything we can to avoid this homogenization of courts. Oh, I know the government is dangling Supreme Court status in front of district court judges, and they are not entirely antipathetic to the prospect of wearing the same colours as Supreme Court judges, but the smart district court judges are saying that caution is the order of the day. It is a caution that has been ignored by the government.

Sure, there will be an opportunity to question the parliamentary assistant. The real question is a letter Chief Justice Dickson of the Supreme Court of Canada wrote to the Attorney General. The Attorney General did not share it with us; he sat on that; he kept that one in its envelope. The parliamentary assistant did not share it with us

either. Rather, they had to be confronted with it during the course of question period. It is a letter dated 28 September, long after any amendments were made to this bill by the government, and it had a tone of grave caution inherent in it, an ominous tone of grave caution.

I can see the parliamentary assistant ignoring provincial judges, district court judges and maybe even the occasional Supreme Court judge, but my goodness, to ignore the Supreme Court of Canada and the Chief Justice of that Supreme Court is pretty brazen, I must say.

Mr Sterling: I rise in support of many of the comments made by the member for Welland-Thorold with regard to the process that has been undertaken in this bill.

I would like to say first of all that I am chagrined that the Attorney General would have the bills called while he is away discussing the demise of the Meech Lake accord in Ottawa. I only hope that his ability to deal with the issues relating to the Meech Lake accord is much better than his ability to deal with the judiciary and the bench with regard to Bills 2 and 3.

Bills 2 and 3 are very, very important pieces of legislation. They try to address a situation which we have in Ontario, where we have a number of levels of courts which can hear different kinds of matters depending on the monetary value of a civil suit, depending upon how serious a crime is alleged to have been committed. Therefore, there is, I think, a significant confusion in the public's mind as to what "district court" means, what "family court" means, what "provincial court (criminal division)" means, what "Small Claims Court" means, what the "Court of Appeal" means, what "Divisional Court" means, what "Federal Court" means, what "Supreme Court of Canada" means and what the "Court of Appeal for Ontario" means.

We have all of those kinds of courts in our system today and quite frankly it gets confusing for a member of the public to try to understand what in fact all these courts mean or do, and I think it is an unnecessary division. That is why on the second reading of both Bills 2 and 3 our party heartily supported the concept contained in these bills as a stepping stone to a more simplified system across our province.

Some two years ago, Mr Justice Zuber was asked by the provincial government to investigate about the number of courts we have and suggest some significant reform. He came back with that report, actually two years ago. He was asked some time prior to that to prepare the report. It took the Attorney General some 18

months from the time he received Mr Justice Zuber's report to the date on which he brought forward legislation in this House for first reading. That was back in May of this year. As early as July of this year, the bill had received second reading and I indicated that our party—actually all parties in this House supported it at that stage.

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When we got to the standing committee on the administration of justice of this Legislature in early July and were dealing with this legislation, we had several groups that appeared in front of us, including the Advocates' Society and the Canadian Bar Association. There were a number of other groups as well. The message came clearly to the committee that there had not been adequate time between the 1 May date and the 1, 2, 3 or 4 July date, whatever it was, for them to take this legislation, discuss it among their members and critically assess that legislation.

The committee heard four, five, six or seven briefs in regard to Bills 2 and 3, and that was the general thrust of the briefs that we had received. As members may remember, we rose in, I think, the third or fourth week in July, and shortly thereafter the justice committee reconvened once again. At that time, we decided that we would deal with the clause-by-clause of that bill. That was over the objections of both the opposition parties.

Both opposition parties had taken heed of the warnings that had been issued to us by these very august groups, the Canadian Bar Association, the Advocates' Society and other groups that are going to be intimately involved with the nuts and bolts of this kind of legislation. The opposition parties had wanted to postpone the clause-by-clause reading of that bill and dealing with amendments to that bill until October, maybe the first week we reconvened this Legislature, so that we would have an opportunity to allow groups that might have wanted to come in front of that committee another two and a half months to mull over this legislation, put it together and suggest to the government amendments which might be needed to the bill.

Our suggestion was rejected at the committee at that time. They decided to go ahead with the clause-by-clause analysis of that bill. Quite frankly, we were not prepared at that time to go ahead with the clause-by-clause reading of that bill. In the meantime, and to show in a very graphic way how vulnerable this bill is to error, between 1 May and 1 August, some 90 days later, the government found 44 mistakes that it

had made in Bills 2 and 3. The government introduced, in our hearings in early August, 35 amendments to Bill 2 and nine amendments to Bill 3. I could be out by one or two on those counts; that is a rough count of the number of amendments.

But it does show that both Bills 2 and 3 are extremely technical in nature. They require a lot of study, they require a lot of research by people who understand how the legislation relates to how the court system is run. These 44 amendments were carried in approximately 15 minutes before the committee. That is partially because the opposition parties had not had adequate opportunity to prepare for those hearings. Therefore, debate would be basically by the seat of our pants and we would not have the opportunity to really deal in detail with the amendments proposed by the government to both Bills 2 and 3 at that time.

As members know, both opposition parties are not heavy in numbers overall and each and every one of us, including myself, has a number of critic portfolios to take care of. Notwithstanding the fact that even though the government wants the opposition to react very quickly to amendments and it wants us to march to its tune all the time, nearly every member of the opposition has two critic portfolios to deal with. I guess to add insult to injury, the Attorney General has graced us with his presence during all these hearings for a total of only about two hours; I am including the second reading debate, the committee on two different occasions, committee of the whole House and now on third reading.

I am not in any way challenging the ability of either the former parliamentary assistant or the present parliamentary assistant to deal with this legislation. What I am saying, though, as a member of the opposition and the critic to the Attorney General is that if I propose an amendment and I want serious consideration of that done, the parliamentary assistants do not normally have the authority to change the legislation on the spot. Only the minister himself has that authority to do so. We have agreed in the past that if in fact the minister is sick for some reason, as was the case with the member for York Centre (Mr Sorbara) when we dealt with another piece of legislation I was involved in in the late part of July, you have to accept the parliamentary assistant under those circumstances.

We also agree that when there are bills that do not have the same import, impact and importance that Bills 2 and 3 have, perhaps the parliamentary assistant can fill the bill at that time. However, I

find that in the case of these two bills, because of their very important nature, the Attorney General is doing a disservice to the legislative process by being absent so often during the debates on these two pieces of legislation.

Members might say to me or the opposition members, "Well, he's off in Ottawa dealing with the very important Meech Lake accord." When I heard that news, I offered that we should consider the debate on these bills next week when he can be here. In other words, I am willing to alter my schedule in order to accommodate the Attorney General to some degree—

Mr Fleet: You're all heart.

Mr Sterling: The member says that I am all heart. He may find it humorous. I do not find it humorous. My duty in this legislation I take as important, I take it in a serious manner and I think my record shows that. I think the Attorney General owes the same respect for this legislative body as does—

The Acting Speaker: A point of order, the member for High Park-Swansea.

Mr Fleet: The point of order concerns the ongoing references to the absence of a member of the House which I understand, certainly from previous rulings as well as the reference in Beauchesne, are not appropriate. I would not normally object to it, but the member has just started to go on about what the duty of the Attorney General is. I think he is fulfilling his duties. We have certainly heard the member's point. My point of order is simply that he is using unparliamentary descriptions at this point in time.

Mr Sterling: In response to that point of order, I would only say that the interest of the Attorney General is not only there, but there are very few Liberals here. Is there a quorum present at the time?

The Acting Speaker ordered the bells rung.

1630

Mr Sterling: As I was saying, in early August when the standing committee on administration of justice met, we dealt with a number of—may I say before I continue that I understand the member for Etobicoke West (Mrs LeBourdais) is going to participate in the budget debate and that her mother, Mrs Day, is watching television this afternoon. I want to tell Mrs Day that I do not intend to take all the afternoon and that she will be able to see her daughter later, at any rate, as long as I am not interrupted by useless points of order.

I want to say that because of the method in which the Attorney General gave instructions to his parliamentary assistant to carry on during the justice committee, it was necessary when this bill was returned here for us to demand that it go back to the committee of the whole House process. We went through that process last Wednesday and Thursday and there was considerable debate in this Legislature on the bill. I put forward at that time some 15 amendments, and I know you were involved, Mr Speaker, in that debate as the Chair of the committee of the whole House. I put forward 15 amendments or so with regard to Bills 2 and 3. Three or four of those of a minor nature were accepted.

There still remains, though, serious questions about this reform. I do think it is important to point out that this government rejected an amendment put forward by our party, by myself, to increase the Small Claims Court jurisdiction from \$1,000 to \$3,000 in all of the other parts of the province, to bring it up to par with Toronto. Toronto is favoured at the present time with a \$3,000 limit in terms of bringing a court action in the Small Claims Court. You can do that in no other area. In eastern Ontario, Durham, western Ontario, the Niagara area and northern Ontario, you can only bring a claim in the Small Claims Court of up to \$1,000. We put forward that amendment and we were supported by the New Democratic Party in that amendment to raise it to \$3,000 to make it equal for every other part of the province. That was not accepted by the government.

We were talking about court reform. Let's at least get what is there now on a uniform basis across the province. They also rejected my amendment for a Unified Family Court to be implemented across this province. As members know, there is one Unified Family Court in all of the province of Ontario and that is in the Hamilton-Wentworth area. It has been a pilot project for almost a decade at this time and it is now time for the Unified Family Court concept to be adopted in all other parts of the province.

We have a different way of administering justice in Toronto with regard to the Small Claims Court and in Hamilton-Wentworth with regard to family court and the other associated matters with family court. So those two major recommendations which our party stood for and which were supported by the New Democratic Party were rejected by the government. I think that perhaps if the Attorney General had been sitting there he might have had the option of saying: "Yes, maybe we should listen to what the

Legislature is saying, what amendments they are putting forward. Maybe we can accept at least one of the suggestions for substantial amendment to Bills 2 and 3." And those were the two that I would have liked to have seen this government accept.

The other matter that I would like to raise is the whole matter of the letter which the Attorney General received from the Canadian Judicial Council signed by the Chief Justice of the Supreme Court of Canada, the Honourable Brian Dickson.

His letter to the Attorney General was shared with me and given to me by the parliamentary assistant after I discovered that this letter was in existence, because the Leader of the Opposition received a copy of the letter. It is important that we look to sections 92 and 92b of Bill 2, because they are very, very important sections, and I want to make it clear that our party put forward amendments which would have met the objections of the Canadian Judicial Council in total.

Sections 92 and 92b establish a provincial committee and a regional committee in each of the eight different regions of our province. Those committees are made up, in the case of the province, of 16 individuals. But the problem is that only four of those individuals are members of the bench. In the case of the regional committees, there are 12 members on those committees and only four of them are from the bench, or judges.

Now, the problem is what these committees do. In the original legislation, they were called the management committees. Under the legislation, because of an amendment which was accepted that I put forward, they are now called management advisory committees. That is a little bit better than calling them management committees because the concern of the judiciary is what function these committees actually have. Do they run the courts, or do the judges run the courts? If, in fact, there are 16 people who are sitting on the provincial management advisory committee, and there is a vote that votes against what the judges of that committee would like, what happens when they go to implement what the management advisory committee has said? I mean, what is the sense of having a committee if, in fact, they do not come to a conclusion which, in fact, will take place in implementing and running the courts of our province?

Anyway, I think it is important to point out in this third reading debate that our amendments, which would have given an equal number of judges and other people on the committee, both

at the provincial level and at the regional level, which were supported by the New Democratic Party, were rejected by this government.

Our amendment which would have ensured that the chairman of the committee at the provincial level and in each of the eight regions would be a judge was rejected by the government. Therefore, we are in a situation, which I think is unnecessary, where there could be a dispute between the management advisory committee, which is made up in a minority sense by judges and in a majority sense by the bar, representatives of the Law Society of Upper Canada, representatives of the lay people, or people who are not lawyers or involved. So, I just wanted to put that on the record as well.

We have heard over a period of time concerns about the constitutionality of this bill. I believe my friend, the member for Welland-Thorold, has gone through those arguments in sufficient detail and at sufficient length, and I will not repeat them. But they are of great concern to us, because, in particular with regard to Bill 2 and Bill 3, they deal with the jurisdiction of our various courts across our province.

You know, Mr Speaker, as a member of the bar, a lawyer, a practising lawyer, that if, in fact, you have difficulty with the merits of a case, if you have a problem in defending your client, if his case is weak, be it in the civil court or in the criminal court, a favourite attack that is undertaken by the bar is to go to the jurisdiction of the court. We hope that there are no mistakes in Bill 2 and Bill 3. We hope that it is constitutional, but we are alarmed that the Attorney General has not taken the advice of some of the very sharpest and keenest legal minds in our province who have said there is a real potential problem with the constitutionality of this bill. There is a real problem with maintaining the independence of the judiciary independent from external forces as contained in these management advisory committees.

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We are also concerned with the undue haste that was taken, particularly between May and August, in dealing with this bill. We have felt that it was unfeeling, unreceptive to a number of groups who wanted to help, who wanted to put forward a better piece of legislation. We do not feel that we in the opposition were given enough time to consult with these groups and to argue in a reasonable and better manner than perhaps we have in bringing forward useful suggestions for amending this legislation.

As I mentioned before, that is evident so clearly in these bills, that 44 amendments were put forward by the government themselves with regard to a piece of legislation that was basically still hot off the press. That leads me to the suspicion that there are probably a number of amendments that have not been dealt with because there has not been any experience, we have not drawn on that experience which was being freely offered—not with a price tag—to this government and to this Legislative Assembly to come forward with a better bill.

When we are talking about bills like this, we are not talking about a bill which will have a great deal of political profile. We are talking about a piece of legislation which is as important to me as a member of the opposition as it is to them, the government, or the members of the New Democratic Party. We all want the best possible piece of legislation. We want the rules clear to the people of Ontario as to how our courts should be run. We want the rules clear as to who is to do what, and we want to maintain the independence of the judiciary. We think that all the i's have not been dotted. We think that all the t's have not been crossed. And therefore we have some real apprehension about Bills 2 and 3 going forward in their present form.

The Acting Speaker (Mr Cureatz): We are continuing the debate on the motion for third reading of Bills 2 and 3. Are there any questions and responses? Are there any further speakers? I somehow doubt it. Parliamentary assistant?

Mr Polsinelli: Thank you for giving me the opportunity to respond to this debate.

It seems to me that the first people to criticize the government or the governing party for inaction and delay and the length of time that it takes them to do things are the opposition members. And rightly so. When the government does not move, when the government does not take action, that is what the opposition is here for, is to criticize the government. It seems to be a little bit strange, however, that when things go a little bit faster than normal, that when things proceed perhaps the way they should be proceeding in all cases, that the first people to criticize the government, the first people to say that the i's have not been dotted and the t's have not been crossed, are the opposition members. To everyone's surprise it is the opposition getting up and saying: "You are moving too fast. You did not give us enough time to consult. You have not dotted your i's and crossed your t's."

That seems to me very strange, but I guess I understand that is also part of the political

process because the opposition members are here to criticize, and it does not matter whether you do something quickly, whether you do it slowly, whether you do it the right way or whether you do it the wrong way. It is their job to criticize, and they are doing a good job at it.

What I would like to do is go through a number of the points that they have made, particularly the necessity, I guess, to have this piece of legislation pass rather quickly.

As members of the House will know, Bills 2 and 3 are a result of an announcement made by the Attorney General on 1 May talking about a unification of the court system. These bills, Bill 2 and Bill 3, represent the first step in the unification process and deal with the structure of the courts in Ontario. The administration of justice in this province is a dual responsibility shared by both the provincial and the federal government, and to no one's surprise, for this type of legislation, once it has received provincial assent, once it is law in this province, we require some corresponding legislation to take place in Ottawa.

We also require a certain amount of time to bring the whole judicial system into gear to adapt to the system. Accordingly, we would like to get at least the structure into place as law in this province as quickly as possible.

Now, we talk about the consultation process; and much has been made about the lack of consultation by the member for Welland-Thorold and the member for Carleton (Mr Sterling). We should know that what happened is that this process began three years ago with the appointment Mr Justice Zuber to look into the court system and the court structure in Ontario. His report was presented to the Attorney General in July 1987, and the Attorney General, in the fall and the winter of 1987 and 1988, has twice consulted on the recommendations in the Zuber report.

One of the other things that he did was to appoint a court reform task force that in the period of two or three months in 1988 had 22 meetings across the province of Ontario; 22 meetings with all the interested groups—the bar, the county and regional district associations, the judges, everybody who had anything to do with the judicial system in this province—and they reported to the Attorney General. That was a committee that was made. I think it is important to note the composition of the court reform task force because it included five crown attorneys, four of them had court experience in the last 12 months; two civil lawyers, one fresh from private

practice; one lawyer from the legal aid system; two policy lawyers and one court administrator. They had meetings in six centres around Ontario. They met with the representatives of the County and District Law Presidents' Association, they met with the Canadian Bar Association, they met with the Advocates' Society, they met with the Criminal Lawyers Association and also consumer and business groups.

The bill, as is before this House today or as is amended by committee, was presented to this House on 1 May 1989. Eleven weeks after first reading of the bill, it was brought into committee and committee had its deliberations. Everyone who wanted to be heard by the committee was heard. I should point out that there was no time-allocation motion by the government. We went through the normal process. When the committee reported the bill, we dealt with it in this House.

In terms of the constitutionality, I think it would be interesting to synopsise perhaps what the constitutional debate revolved around. It revolved around the issue of the Small Claims Court judges sitting with the judges of the new General Division, which would normally be the judges appointed by the federal government under section 96 of the Constitution Act; and the argument went something like this. It said: The judges sitting in the General Division are section 96 judges, therefore they have the responsibility that is afforded the federal appointees; a responsibility and a jurisdiction that is not exercised by the provincial court judges. Therefore, if a provincial appointee is sitting in the federal aspect of this Ontario court, there is a constitutional problem because what you are trying to do is you are trying to make provincial appointees members of the section 96 club, so to speak.

We listened to those concerns and we thought that perhaps there was a point there, and what we did was to amend two sections of this act—sections 21 and 23—which did not make the provincial court judges, civil division, that is, the Small Claims Court judges members of the General Division of the Ontario court. If they are not members, then you have eliminated the section 96 problem, the constitutional problem.

What we also did, though, was to allow them to sit in that division for a limited purpose and that purpose is to hear the Small Claims Court's applications. Our constitutional advisers—the provincial ones and the federal constitutional advisers—have now advised us, have now told us, that there is no constitutional problem before us with respect to that.

The member for Carleton made some comments about the Attorney General not being here. I hasten to remind him that when the legislation went through that established the Unified Family Court in Hamilton, a court, by the way, that is firmly implanted as government policy, one that we support, that legislation was handled very well by the then Attorney General's parliamentary assistant, who happened to be the member for Carleton. I compliment him on that type of work.

1650

Mr Sterling: On a point of order, Mr Speaker: I think it only prudent to point out to the parliamentary assistant that the Attorney General was on his back. As the member can recall, he had a very bad back at that time. He was in the hospital part of the time and therefore it was necessary for me to carry the legislation.

Mr Polsinelli: It comes as no surprise that the member for Carleton would be standing on that point of order, as we have discussed on a number of occasions through this debate the fact that he handled, as parliamentary assistant, the Unified Family Court jurisdiction as it went through this House.

I must add a number of comments, one dealing with the management advisory committee. That is what it is. It is an advisory committee and it does not have the authority to tell the judges what to do. One of the cornerstones of this bill is that the administration of justice in this province is a partnership between four equal and independent partners. Those partners are the bench, the judges; the bar, the practising lawyers in Ontario; the Attorney General, which encompasses also the crown attorneys; the public. They are four equal and independent partners. The administration of justice, for it to function smoothly, must have the co-operation and collaboration of those four equal and independent partners.

The management advisory committee and the representation on that management advisory committee essentially represents the cornerstone of the bill, that partnership aspect. To have accepted the member for Carleton's amendments would have skewered that partnership, would have skewered that principle of there being four equal and independent partners.

I must say that overall this bill is a good bill. It is good news. It is a good news bill. It is a bill that not only simplifies the structure of the courts in Ontario, but gives the government the power to increase the jurisdiction of the small claims court to \$5,000 throughout the province of Ontario. The injustice of members outside of Metropolitan Toronto trying to access the civil system if

their claims were \$2,000 or \$3,000, compared to those of Metro Toronto was just something this government wanted to move on as quickly as it possibly could.

That is one of the things we have done, because we have a commitment from the Attorney General that in 1990, next year, as soon as we can bring the staffing of the small claims court outside Metropolitan Toronto up to par, then the regulation will be passed increasing the jurisdiction to \$5,000. That is tremendous news for the people of the province outside Metropolitan Toronto. It is also news for the people in Metropolitan Toronto because their jurisdiction goes from \$3,000 to \$5,000.

On that note, I would like to ask the support of all members of this House in ensuring that this bill gets speedy passage and that the total court reform package is taken into consideration when the respective pieces of this legislation come forward, because I am sure there is a general consensus that this is good for Ontario. It has the support of the district court judges. It does have the support of the county and district law associations. They would like to see passage of this bill as quickly as possible and so would we.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Hon Mr Ward: Mr Speaker, by prior agreement, the vote will be deferred until 5:45 pm on Tuesday next.

The Acting Speaker : It is my understanding that there is unanimous consent to postpone the vote until Tuesday at 5:45.

Mr Kormos: On a point of order, Mr Speaker: It should be noted, however, that a division is in order at 5:45 on the coming Tuesday.

The Acting Speaker : That is correct. That is agreed to.

COURT REFORM STATUTE LAW AMENDMENT ACT, 1989

Mr Polsinelli, on behalf of Mr Scott, moved third reading of Bill 3, An Act to amend certain Statutes of Ontario Consequent upon Amendments to the Courts of Justice Act, 1984.

The Acting Speaker (Mr Cureatz): Does the parliamentary assistant have any comments? Is there any discussion on Bill 3? Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Hon Mr Ward: Mr Speaker, by prior agreement, the vote on this bill will take place at 5:45 pm on Tuesday.

Mr Kormos: On a point of order, Mr Speaker: Once again, I am trusting that the Speaker is going to note that a division would be in order with respect to Bill 3 on Tuesday as well.

The Acting Speaker: By unanimous consent, a division will take place on Tuesday at 5:45.

BUDGET DEBATE

(continued)

Resuming the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

Mrs LeBourdais: Although it seems perhaps a little tardy, being some months since the budget was initially tabled, I am delighted to rise to speak to it today.

The issue of responsible government in this province evolved in the 19th century as a necessary response to the demands and needs of the citizens of Ontario. All governments in Canada now hold to the principle of responsible government, which dictates that the executive council must maintain the confidence of a majority of the members of this Legislature. This is as it should be and must be in order to have a system of parliamentary government function effectively. However, responsible government can be referred to in another sense, that being a government that functions effectively and prudently in regard to fiscal matters.

The budget of Ontario's Treasurer (Mr R. F. Nixon) represents an example of how a responsible government should conduct itself. Ontario can be proud of its budget and the Treasurer who has offered it. The obvious highlights are the reduction of the budgetary deficit to \$577 million, which represents a decrease of \$911 million for the 1989-90 period from \$1.5 billion.

The largest operating surplus in the province's history has been achieved and this \$2.6-billion surplus has been complemented by a reasonable and responsible spending increase of 6.7 per cent for 1989-90.

The bedrock of this budget is the Treasurer's pay-as-you-go philosophy. Revenues had to be raised to meet the growing needs of the people of Ontario. The soundness and responsibility of the pay-as-you-go philosophy has allowed and will continue to allow our government to fund vital

programs that will improve the quality of life in Ontario.

This budget begins the process of fleshing out the initiatives that were outlined in the throne speech in April of this year. Aspects of this budget will have a direct and in many ways a positive affect on my constituents of Etobicoke West. Therefore, it is as their representative that I rise to contribute to this debate.

I can only imagine the discussion that necessarily took place between the Treasurer's heart and his head as he pondered how to weave his way equitably through the labyrinth of demands that any government faces, but his success has been obvious.

In the area of health care, it has been an oft-repeated fact that in the past decade health care costs have increased nearly 65 per cent while the Ontario economy has expanded by less than 43 per cent. Moreover, 10 years ago, 25 per cent of all Ontario revenue went towards health care compared with today's figure of 33 per cent of all revenue being devoted to this one single area. This increase demonstrates our government's commitment to health care.

Most notably, this budget fulfils the commitment made by the government when it took office in 1985 to abolish regressive OHIP premiums. This is an act that was also recommended by the Social Assistance Review committee and it is in keeping with the need of providing further accessibility to affordable and appropriate health services, all of which was a stated goal of the Premier's Council on Health Strategy.

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This action will result in savings of \$1 billion to individual Ontarians, and in many cases the people who will be affected by this are the people who need this help the most. They are Ontario's working poor. Although this government has chosen to honour its pledge of abolition of premiums, the notion of responsible government has not been abandoned, in order that this \$1-billion saving can be provided to those Ontarians who are still carrying the burden of paying all or part of their OHIP premiums.

While the Treasurer's heart has dictated that he give, his head demanded that he generate revenue to finance not only the \$1-billion saving, but indeed the entire new \$13.9-billion health care budget in order that future generations will not be penalized because of contemporary financial imprudence.

The Treasurer recognized that business in Ontario will have to make a greater contribution to the health care system at large. Accordingly,

the 1.95 per cent employer health levy has been introduced. Smaller businesses will only pay half of the 1.95 per cent in keeping with the effort to achieve as much fairness as possible within the boundaries of being fiscally responsible.

While speaking of fiscal responsibility, it should also be stated that while having \$1 of every \$3 go to health care is laudable as an indication of this government's desire to ensure that Ontarians get the health care system they need, it is simply not practical. A stemming of this steady increase must be effected. Consumers of health care have to be educated to use the system more effectively and more efficiently. An educated health care consumer will contribute to a more cost-effective system, but this cannot mean a system that is less caring or less competent.

Some of the necessary changes that are to be made will be achieved by the strengthening of community-based health care. Community-based health care will be an important aspect of the government's new health care strategy. Many minor medical procedures can be performed in a doctor's office without the necessity of incurring the cost of a major medical institution. This demonstrates that a community setting can be utilized to provide effective and convenient health care services at a reduced cost.

To facilitate the implementation of these initiatives, the budget provides for \$1.3 billion to fund community and personal health programs. All of these factors indicate that our government is committed to the goal of controlling the cost of health care while not reducing the accessibility, convenience, competence or quality of the system we have established.

Another serious concern of mine that has been addressed in the budget is the issue of substance abuse. This government must, and as we have seen will be playing a leading and proactive role in the attempt to provide Ontario communities with an environment that will hopefully one day be free of the cancer of drug abuse and what it represents to our society.

All types of substance abuse manifest themselves as a drain on the entire productivity of our society. This also has a potentially destructive effect on the ties of unity that bind families together. These elements all too often lead to a decreased quality of life for all the members of our community.

In response to this problem our government launched the one-man task force headed by the member for Muskoka-Georgian Bay (Mr Black). His report identified the extent to which illegal

drugs have affected the lives of the people of all of this province. These efforts led to the establishment of a program of mandatory drug education in our schools and most recently to the establishment of the Mayor's Task Force on Drugs for the City of Etobicoke.

Alcohol and drug abuse is an area in which I have remained particularly concerned since becoming a member of this Legislature. Last November, during Drug Awareness Week, I devoted my householder, Dialogue on Drugs, to this issue and included a questionnaire inquiring about the level of concern over the issue of drugs. The response from constituents was overwhelming, indicating a high level of concern regarding this problem as well as a need to continue the battle.

The past budget turned the promise from the throne speech to introduce antidrug programs into concrete action. I am very proud to state that \$43 million has been allotted by the Treasurer for alcohol and drug dependency programs. This 17.8 per cent increase is representative of the depth of the commitment of our government towards the menace in our society.

Education is also an area close to my constituents' hearts, and I remain impressed with the level of parental interest in education. Recent allocations of capital for school funding mean that the government's commitment has increased nearly eightfold since 1984. A 6.1 per cent increase in operating funds will bring funding for Ontario elementary and secondary schools up to \$4.1 billion in 1989.

Elementary schools will be charged with developing the basic learning and social skills of our young children. Our secondary schools must train students to become effective, responsible participants in the workforce and provide them with the necessary knowledge to prepare for postsecondary education.

It should be stated at this juncture that the Treasurer had the option of bringing in a balanced budget. However, he recognized that he had greater priorities. Accordingly, money has been preflowed to municipalities, much of it to be spent on schools, so they could spend now and not have to wait for future allocations.

Accordingly, this government will be committing \$1.2 billion over four years for school construction and renovation; \$60 million in capital funding for technology education will also be spent. These funds clearly indicate the government's recognition of the demand in our society for increased computer literacy for our

children so that they can function effectively in tomorrow's society.

In addition, parents will be provided with the option of exposing their children to the benefits of education at an earlier age. Half-day junior kindergarten for four-year-olds and half-day senior kindergarten for five-year-olds will be made available by all school boards with the long-term goal of making these opportunities available on a full-time basis.

This budget takes the first step towards turning these promises into reality by providing up to \$194 million over five years in annual operating grants and a total of \$100 million for capital projects.

The Premier (Mr Peterson) has noted that in addition to the obvious educational advantage of the new kindergarten system, it would also potentially solve about 20 per cent of existing child care problems, a situation that is critical in Etobicoke.

Such concerns will be of increasing importance due to the erosion of federal commitment to national shared cost programs announced in the recent federal budget. As the Treasurer has indicated in the past, Ontario's losses as a result of recent federal cuts when taken together with previous federal reductions will be in excess of \$1 billion in financing entitlement in this fiscal year alone.

Decreases in federal spending to existing programs will be matched in the area of proposed new federal spending initiatives. Among the hardest hit will be child care. The federal Progressive Conservative government has deferred the Canada Child Care Act. This means that proposed federal child care funding of \$6.4 billion has now been reduced by \$4 billion, a 62.5 per cent reduction. This move bitterly disappoints many who are in a desperate need of such services.

While this alteration in federal activity puts some provincial initiatives at risk, our government has acted to fully honour its agenda. In keeping with this government's June 1987 strategy entitled *New Directions for Child Care*, spending in 1989-90 will be \$359.7 million, a 305 per cent increase since 1984-85. Therefore, despite federal deferrals, Ontario is acting to implement the *New Directions* program with all the fiscal resources it can legitimately spare.

Governments at all levels must continue to give this issue the attention it deserves, because child care is not just a woman's issue; it touches on education, employment, finance and even health. With 12 per cent of my constituents

leading one-parent households, I can assure members there is a substantial level of government concern over child care among my constituents. I personally am very appreciative that the Treasurer's heart has been heard on this issue of great importance not only to myself but to my constituents as well.

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The budget has also outlined initiatives that represent a continued effort to build on this province's economic strengths. These actions will be welcomed by the businessmen and businesswomen of my riding. I stand before this House as a proud example of this province's entrepreneurial spirit, having been the founder of my own public relations firm. Therefore, as a businesswoman active in Etobicoke in the past, I can fully appreciate this government's efforts to foster and develop an entrepreneurial spirit and to keep Ontario competitive. This is essential to sustainable economic growth.

Further to this, it must be borne in mind that the existence of the free trade agreement will bring to bear upon Ontario businesses ever-increasing competitive pressures from the United States. In answer to this, our government will, through the technology fund, promote new industrial processes and encourage the growth of innovative companies. Efforts will also be made to pursue new markets for the goods and services provided by Ontario-based companies that compete globally. The province intends to share the risk being encountered by emerging threshold firms competing in the global market. All these actions will be welcomed and fully endorsed by the business community in my riding.

Specifically, in Etobicoke our government is giving consideration to a full one third of the funding necessary to complete the world-class aquarium, to be known as the Seaquarium, scheduled to open in 1992 and to be built in Humber Bay Park on the Etobicoke waterfront. The Etobicoke lakefront area, in addition to Seaquarium, is experiencing more than \$5 billion in developing projects currently under construction. The Peterson government's one-third share of the \$58.8-million cost of the Seaquarium demonstrates the government's commitment to enhancing the development of substantial economic growth in Ontario. Seaquarium is expected, over five years, to bring in visitors from the United States and Canada, and that will add more than \$40 million to the local and national economies as a result of expenditures connected with this venture.

Ontario is now well into its sixth year of economic expansion and will be able to achieve a sustainable real growth of 2.8 per cent. Job creation last year alone approached the 200,000 mark, and the Ontario economy has been outpacing almost all the nations in the Organization for Economic Co-operation and Development in economic performance. As a result of the business initiatives contained in this budget, it is obvious that this government is committed to going the path of effective economic management.

My riding of Etobicoke West is bordered and bisected by major highways including the 401, 427 and the Queen Elizabeth Way. The rapid growth around Metropolitan Toronto has led to an increase in demand for both highways and transit systems. The pressure on the system remains severe and requires still more money than the \$2 billion spent in 1988 and 1989. Given these conditions, this government over the next five years will commit an extra \$2 billion to highway and transit system capital costs. Accordingly, those who will benefit most from this new investment in infrastructure will be expected to bear the majority of the related costs. These new initiatives will be paid for in a series of measures including a two-cents-a-litre tax on gasoline to be phased in between now and 1990 as well as increased passenger car registration fees. In addition to this, there will be the \$1-per-square-foot commercial construction levy.

There are necessary measures to ensure our transportation system can meet the demands being made upon it and also to ensure that we do not incur excessive debt to fund these measures. In order to provide some perspective to the costs attendant to infrastructure building, it should be noted that the minimum cost of an interchange on a major highway is in excess of \$60 million. Interchanges built where major highways intersect carry a pricetag of over \$100 million on average, and it is estimated that interchanges are required at the rate of one per mile.

To further heighten the drama associated with these costs, it should also be noted that neither the \$60 million nor the \$100 million figure includes the price of land. The cost is staggering, but the demand is there, and therefore the services must be provided and paid for with today's tax dollars, not tomorrow's. The Treasurer's head has dictated the necessity of raising sufficient revenues to fund these demands.

One of the unfortunate side-effects that result from the building of these transportation services

is the amount of air and noise pollution that is generated, particularly in my riding because of our proximity to so many major highways as well as to Pearson International Airport. Notable among the government's efforts to combat this source of pollution will be the new gas-guzzler tax. Because car emissions are a principal source of pollution and high performance or luxury cars that get low mileage are special offenders, the new tax works to provide revenue from one of the main offenders to a healthy environment.

In addition to this, the environment technologies program will provide grants to private sector firms to conduct research and development into new environmentally sound methods that will help either to decrease the cost or increase the effectiveness of pollution control. Further to this, tax incentives will also be made available to help business achieve cleaner manufacturing processes.

While I certainly have not said it all, I think I have perhaps said enough. In conclusion, I would like to state briefly that this government is committed to ensuring a better quality of life in this province within a framework of sound fiscal responsibility. The initiatives set out in this budget support the reform agenda set by this government under the leadership of the Premier, and I look forward to continue to serve the constituents of Etobicoke West and to contribute with all members to the work of this House.

The Acting Speaker (Mr Breaugh): Are there any comments or questions? Further debate?

Mr Daigeler: Thank you very much, Mr Speaker. Since this is the first opportunity for me to congratulate you on your appointment, I wish to do so. I must say, being a new member, I respect the expertise you have already portrayed in the chair. I look forward to your rulings, which I have noticed to be very objective; I congratulate you on that and hope it bodes well for the future.

When I first prepared the remarks that I am very pleased to give now, I stayed up until about two o'clock in the morning thinking I had to give the speech the next day; that was in June, I think, and it is now November. Perhaps I could have taken a little bit more time and could have had a better sleep in June. But I do think, and I hope you agree, Mr Speaker, that the remarks I prepared then are still worth giving. I did review my notes, and obviously I am prejudiced here, but I feel that what I have to say is worth committing to the record still.

I wish to address five points in particular: first, the usefulness of the budget document itself; second, the priority-setting of the budget prepa-

ration process; third, the social assistance reforms; fourth, the issue of regional development; and finally, the economic agenda for this government.

Let me speak first of all about the budget document that I have in front of me. It does not only have a very nice red trillium on it; I feel that this document is a masterpiece of clear language, powerful presentation and timely content. I recommend its careful study to anyone who is interested in the agenda of this government and what our plans are for the future. For those who are viewing these proceedings, a copy of this document can be obtained from any member of this House or by contacting the Treasury and Ministry of Economics.

The budget document has several sections. It contains the Treasurer's budget speech. It also has several highly informative background papers. These concise overviews give an in-depth perspective on some very important issues of the day, such as Ontario's economic outlook, the expenditure profile of the Ministry of Community and Social Services, municipal government finance and a question that is presently being discussed in the House, the question of public sector pensions. All of this material is presented in nontechnical language, easily understood by noneconomists such as myself. It is arranged in a logical and comprehensive fashion and broken up with insightful illustrations and graphics.

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In sum, the 1989 budget document is a veritable fountain of information for anyone interested in the current and future direction of this government. As someone who has been personally involved in the preparation of, not government documents but similar documents for the information of the general public, I wish to congratulate the writers of this document for a job very well done.

The second point that I wish to make relates to the priority-setting of the Treasurer's budget itself. I am proud to confirm that the Treasurer has responded forcefully to the representations which were made to him by my caucus colleagues and by myself. Sometimes the opposition accuses us of not having enough impact or not making our views known to the cabinet and to the Treasurer. I can assure the House that in the case of the budget, the Treasurer did hear from us and he listened.

In this intricate government machinery of Queen's Park, many, and sometimes extraneous, forces impact on ministry decisions. However, with this budget, as I just indicated, the Treasurer

has accepted the advice of his Liberal colleagues, and I am thankful for it. As individual members, we have heard very clearly, certainly in the Ottawa area and in other parts of the province, that transportation must be a renewed priority of our government. The establishment of a \$2-billion transportation capital program tackles head-on the problem of deteriorating roads and the need for new transportation links to the growth areas of the province.

Equally important, a good transportation network in all parts of the province will ensure that industries locate in smaller towns, not only in our urban conglomerates. This redistribution of our industrial base should, in turn, help ease some of the population pressures on our metropolitan centres such as Toronto, Ottawa and the Hamilton-Niagara region.

As soon as the Thomson or Social Assistance Review Committee report was presented to the government, members on this side of the House vigorously made representation with the Minister of Community and Social Services (Mr Beer), with the Treasurer and with the Premier for a major reform of our social assistance system. I myself wrote around this time last year to the Premier, the Treasurer and the minister at the time, the member for Kitchener-Wilmot (Mr Sweeney), indicating my full support for any effort that would break the welfare cycle and help those less fortunate than ourselves. As members know, in his historic 17 May announcement, the Minister of Community and Social Services put in place these very reforms made possible by the financial support of the Treasurer.

The third priority that was identified in the budget and, before it, in the throne speech is the environment. I am glad to say that today we have a renewed sense of responsibility in this province and, indeed, in the world over for the protection of nature. This government continues to show its environmental concern through, among other things, a 40 per cent increase in capital outlays for provincial water and sewage projects. I am glad to say that the Ottawa area, in particular, is benefiting from this program.

The continued commitment to environmental protection has produced an increase of 70 per cent, almost doubling the Ministry of the Environment budget since 1985. This impressive result is a clear reflection of the support my caucus colleagues have shown for environmental initiatives.

Government members have listened to the people of this province. They have, in turn, impressed on the Treasurer the message which

they have received. I am proud to say the Treasurer has taken action on our recommendations.

The third point that I wish to address is the Social Assistance Review Committee reform. SARC, for those who are not familiar with it, is the committee on the review of our social assistance system.

The city of Nepean, which I have the honour or representing in this House, together with the member for Ottawa-Rideau (Mrs O'Neill), has a relatively low number of social assistance recipients. Because of this, some people in my riding question this government's direction on welfare reform. They feel there are too many government handouts, to the detriment of private initiative and self-help. But despite these critical voices from my community, I fully support and applaud the work of the Treasurer and, in particular, of the Minister of Community and Social Services.

With this budget, the government clearly introduced steps that will break the welfare cycle and put people back on their own feet. Indeed, one of the major new programs is called STEP, supports to employment program. The minister has taken the significant new funds allocated to him by the Treasurer and directed them to where they are most needed, one- or two-parent families with children, shelter allowances and transition programs that supplement income from work.

The initiatives announced by the minister make sense as a unified whole. They are not isolated Band-Aids trying to cover emergencies. The minister's plan is a well-thought-out, long-term, comprehensive strategy to break the poverty cycle. That is why his reforms have been applauded by so many from across the political spectrum, and I was pleased to note that all members in this House from all three parties did applaud the initiatives introduced by the minister.

Much has been accomplished with the Treasurer's financial commitments and with the minister's farsighted plans; however, other challenges do remain, and I am confident this government will continue its social reform agenda.

One area for further action identified by, at the time, Judge Thomson, now deputy minister for the provincial government, is a radical reorientation of our disabled support system. Judge Thomson rightfully called for reforms at the federal level, involving all provinces. I invite the minister in this government aggressively to

pursue his talks and negotiations in this regard with his federal colleague. Our society prides itself on improved employment opportunities for the disabled and on increased physical access to many buildings. Our efforts on behalf of the disabled must continue to improve their economic fortunes, as well.

The second unresolved challenge is our support for Canada's native people and how we can assist them in living fulfilled lives in accordance with their own cultural values. I have always been greatly distressed that so many of our native brothers and sisters live in conditions of great poverty and cultural disorientation. I call on the minister and on my colleagues to renew their efforts for a better future for our native people.

The fourth point that I wish to address is regional development. It is the budget's implicit support for a more decentralized economic development. People in southern Ontario and in the Ottawa-Carleton area have experienced—I am glad to say this—tremendous economic growth in recent years. However, with this boom have also come increased transportation, housing, health care, social assistance and school accommodation problems. The mere agglomeration of jobs in one area of the province is a somewhat mixed blessing for our people. Many human costs flow from rapid and unbridled urbanization.

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For the last two years, I have had the sometimes questionable privilege of living from Monday to Thursday in the heart of Toronto. I say "questionable" because people around here have few opportunities to break free from the constant environment of cars, commerce and crowds. In the Ottawa area, where I come from, we are fortunate enough to easily benefit from many parks and waterways right in the city. For the most part, we also can escape to the countryside within half an hour's drive or so, although this luxury is becoming more difficult for many in our region, as well.

As I see it, many of our social problems relate to the excessive concentration of our population and industrial base in a few geographic areas of the province. I applaud, therefore, any initiative that will disperse employment opportunities across the province. Through its emphasis on new transportation links and, may I add, its tax measures as well, this budget sets in motion major economic development shifts. These changes will benefit small and medium-sized cities, hopefully in all parts of our province.

Already, Sears Canada Inc has decided to relocate its catalogue division to Belleville in eastern Ontario. This will bring 1,700 jobs to eastern Ontario and have a major impact on that area. Together with the Goodyear Canada Inc plant in Napanee, these new projects along Highway 401 will go a long way towards revitalizing the economic infrastructure of eastern Ontario, where I have the honour in this House of being from.

My interest, however, is not only an economic one. Sears workers in Belleville and Goodyear workers in Napanee will be able to take advantage of the beautiful recreation opportunities along the Bay of Quinte. They will gain in economic terms because of cheaper living conditions in this region. Perhaps more important, they will gain on a human level, for they will be better able to free themselves from the pressures of work through a more harmonious exchange with nature.

Living in a smaller community also should strengthen their relationship with and reliance on relatives, friends and neighbours and therefore reduce reliance on government. This is what sustainable regional development is all about. I thank the Treasurer for having strengthened this movement through several of his budget measures.

Finally, I wish to address the budget efforts to keep Ontario competitive. Some time ago I spoke with several Toronto business leaders who have international trading experience. They share the interest of the Premier in strengthening the export orientation of our industries. We must aggressively pursue world markets and enter co-operative agreements with offshore companies and countries.

Last October—that is, October 1988—I organized with the Nepean-Kanata Chamber of Commerce a half-day seminar on how to compete in a global economy. The need for strategic partnering was clearly recognized, and for using the marketing and technological strengths of companies in foreign countries. Seminar participants asked for government help for smaller Canadian companies so that they can join together and penetrate foreign markets.

I am pleased that the Treasurer and the Premier continue to recognize these needs through the work of the Premier's Council on technology. As the Treasurer said in his speech, an additional \$10 million will be committed for trade-related initiatives, including targeted marketing assistance and investment promotion, in co-operation with Ontario's trade offices abroad. Over \$132

million will be provided to stimulate research, development and diffusion of new industrial technologies.

Competing in a global economy requires good products, good marketing and, above all, good people. Our initiatives in skills training and especially in post-secondary education ensure we have the talent for innovation and the incentive to create and to compete.

I am particularly proud of the many capital projects that have been approved at numerous universities across the province. I make special mention of Carleton University, since many young people in my riding attend this institution of higher learning. For the first time in 15 years, Carleton University is engaged in significant capital improvements. This includes a new library and a new engineering building which was announced just a few months ago by the then Minister of Colleges and Universities, the member for Fort William (Mrs McLeod).

Members will know that Nepean and Kanata are the home for many of Canada's leading high-technology firms. The expanded engineering capability at Carleton University strengthens the co-operative efforts between the research and the business community in my area and beyond. It will have a significant, long-term impact on our international competitiveness through the increased training opportunities for our professional engineers.

In conclusion, may I sum up my remarks by saying this 1989 budget is a truly Liberal budget. It allocates funds where needs have been identified and, yes, it raises the revenue for today's expenditures, rather than shouldering future generations with a heavy deficit.

It is a Liberal budget because of its priorities. It strengthens our economic competitiveness while caring for those who, for one reason or another, have so far missed out on the financial rewards of our time. I wholeheartedly support the government's motion for budget approval and I look forward to voting for it.

Mr Philip: I was not planning on commenting, but I was provoked to comment. If this is such a great Liberal budget, how come that through the corporate concentration tax the minister is going to put working-class people in the riding of Etobicoke and in Metropolitan Toronto out of work as a result of making the hotels uncompetitive with the United States hotels and with many others in Ontario in obtaining the convention trade?

How does he feel he is helping the working class when the 75 employees of the Park'n Fly in

Etobicoke are going to be put out of business as a result of the \$775,000 worth of taxes by this special tax that will apply only to the greater Metro Toronto area, on a business that last year showed \$76,000 profit? How is he helping the working class with that kind of reactionary taxation, that kind of economic apartheid that chooses a particular geographical area, namely the greater Metro Toronto area, for taxes which are not based on income, which are not based on profitability, but are based only on the fact that they happen to be located in a particular part of Ontario.

I ask him to tell my workers whether or not his government's is a Liberal budget. If it is a Liberal budget, then there is no difference between the Mulroney government and this Peterson government.

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Mr Neumann: I would like to commend the member for his very fine speech on the budget and his recognition of the fine policies of our Treasurer in assisting meeting the priorities of the reform agenda of this government.

I know the member's enthusiastic speech will be well received in his riding. He has done an excellent job in promoting activities and programs to benefit his constituents. I know he has the good character and foresight and determination to succeed in all that he does. I know this because recently I attended a conference sponsored by the German-Canadian Congress of Canada and there was a historical display there where I discovered that the second person of German descent to ever settle in what is now Canada was a man by the name of Hans Daigeler. That was some hundreds of years ago. In fact, this particular individual participated in the explorations of Radisson and des Groseilliers and we saw his picture sitting in the canoe.

I know that this spirit of exploration and this spirit of always looking for something new was right there in the background of this man, Hans Daigeler. I am sure there must be, somewhere, some connection because I have seen this fine spirit exemplified here in the House today.

Mr Daigeler: I will just take a few moments because I know that some other members would like to talk as well. First of all, I would like to thank the member for Brantford for his remarks and the historical reference. I hope I can give credit to the fine remarks he has made.

I do wish to address the comments by the member for Etobicoke-Rexdale. If the situation were that dramatic and drastic, I wonder why the mayor of Mississauga is actually in favour of this

initiative. I had the opportunity of meeting with her last week and she said, "Yes, there is an additional cost," which by the way is on a per-spot basis, only \$1 a day, and I have great difficulty seeing any kind of business going under for \$1 per parking spot per year on this particular new tax initiative.

Mr Philip: On a point of order, Mr Speaker: The gentleman is misleading the House.

The Acting Speaker: The member for Etobicoke-Rexdale has been here long enough to know that he cannot say that. Withdraw it.

Mr Philip: I withdraw it. It is \$1 per foot; maybe the member would get his facts straight.

Mrs Sullivan: Per year.

The Acting Speaker: I do not think we need to make a big deal about this, but you will speak when you are recognized by the Chair. You do the chair some disservice when you treat it in other ways.

Mr Daigeler: If the member had been at the briefing that was given just this afternoon by the ministry, he would have realized that the actual cost—he is correct—is approximately \$1 per square foot. However, the actual impact of that will be approximately \$1.25 a day per parking spot in the greater Toronto area. These were the figures that were given to us by the Ministry of Revenue.

Hon Ms Hart: The bad news is that there was a budget at all. No one of us likes to pay taxes. The not-so-bad news is that the process was more open than it has ever been before.

More than 200 groups met either with the Treasurer or the finance committee in the prebudget consultations. They came from every part of the province and every sector of the economy.

I participated in most of those meetings as the parliamentary assistant to the Treasurer and as a member of the standing committee on finance and economic affairs. While it was not possible to accede to every request for government funding or government assistance—the budget of \$40 billion would have doubled if we had—it was evident to me that the government listened to those submissions and took them into account in setting its priorities. Then it funded those priorities in a fiscally responsible, pay-as-you-go way.

I need mention only the Social Assistance Review Committee report. The report struck a chord with thousands of people across the community. Prominent business leaders, churches, social agencies, teachers, students and the

media all spoke out in favour of its recommendations. More than 75 deputations advocating its immediate implementation were made to the committee on finance and economic affairs in the prebudget hearings and the committee unanimously commended the report to the Treasurer. As a member of the committee, I am particularly pleased that the Treasurer not only committed \$415 million in a full year to social assistance reforms, but he also provided that during their implementation there would be an independent review of their effectiveness.

Members may recall that the Premier asked the Social Assistance Review Committee to go back to the drawing board and to come up with a plan to give our more disadvantaged citizens a leg up in to the world of work. Even after six successive years of strong economic growth and almost full employment in Metro, our social assistance rolls have swelled by an average of 4.6 per cent each year, compared to a population growth of only 1.3 per cent. Those are very worrisome statistics to all of us.

The committee, chaired by Judge Thomson, came back to us with its thoughtful report, *Transitions*, recommending sweeping changes in our welfare system. It clearly established that most people receiving assistance are the disabled, single mothers and 40 per cent—fully 220,000—are children.

Then it pointed to the roadblocks in the current system that discouraged recipients from getting back out into the workforce. It made the eminently sensible recommendation that incentives should be given for people to work, rather than the opposite. The then Minister of Community and Social Services, now the Minister of Housing (Mr Sweeney), announced just how that money committed in the budget was to be spent, to the commendation and applause of all three parties in the Legislature.

He targeted children and their families. Their benefits will be enriched. You cannot learn if you are hungry or cold or do not have a regular place to sleep. The aim of the former minister, and more recently the aim of the present Minister of Community and Social Services, is to get people off benefits as soon as possible, before they lose their confidence or their will to work.

To help single moms do that, the Ministry of Community and Social Services will pay for their child care whether or not subsidized spaces are available. It will continue to pay extended health and drug benefits even while they are working until they earn enough to reasonably pay on their own. It will increase their shelter allowance so

that they no longer have to resort to food banks to feed their kids. In short, it is this government's intention to change their welfare cheques to paycheques and to make sure their children have the chance they deserve. We aim to break the poverty cycle, not just ameliorate it.

That is what Judge Thomson wanted, what thousands of Ontarians wanted and I am grateful that the Treasurer made it possible.

Health care: Promoting healthy lifestyles and preserving the quality of our health care was a key objective in the speech from the throne. If we do not thrive physically, we will never thrive economically, so under the guidance of the Minister of Health (Mrs Caplan) we are shifting the emphasis of our health strategy from disease prevention to health promotion.

The budget responded to the government's priorities for health care by allocating substantially increased amounts for community and personal health programs including such services as: community mental health, \$108 million, up 30 per cent; home care assistance, up \$70 million, and alcohol and drug dependency programs, \$43 million, up almost 18 per cent.

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Of special interest to East York, since we are on the cutting edge of community health care with Metro's first integrated homemaker one-stop access program, is the fact that the new resources will be used to improve the rates for visiting homemakers and increase the incomes of workers who assist people with developmental disabilities. This includes workers providing attendant care to people with severe physical disabilities or people with such diseases as Alzheimer's. Without this badly needed extra funding, those people would not have the option of being cared for in their own homes surrounded by their families. Their only option would be to enter an institution.

Funding for hospitals is also up 8.3 per cent to \$6 billion in order to address speciality care needs such as cancer care, cardiovascular services, dialysis, and maternal and infant care.

Education, the challenge for the 1990s: We all want our children to surpass even our high expectations for them, yet how is that possible when our industries are facing competition from new sources all the time? It used to be that the US set the standard our manufacturers had to beat. Now it is Korea, Singapore and Brazil, not to mention Europe and Japan. Ten years ago, Koreans had not built any microwave ovens; now they have cornered the market. These countries are the competition, not just because of lower

wage rates, but because they have developed new technologies and better manufacturing techniques.

To maintain a producing economy that will provide those remunerative jobs for our kids, we must make sure that they are among the best educated and the most highly skilled in the world. To reach this goal, we have embarked upon a broad range of reform and renewal in Ontario's education system, stretching from preschool to the point of entering the world of work.

This renewal focuses on the development of language and social skills in preschool years. It focuses on the greater mastery of basic skills and problem solving in the elementary grades. It focuses on a smooth transition between elementary and secondary school, and finally it focuses on job related skills necessary in the working world.

Educators understand that a child's early social development has a profound effect on her academic progress. We know that the earlier our children start to learn in a safe and caring environment, the better their chances. So, the Treasurer responded to those needs by committing both operating, \$194 million, and capital, \$100 million, to fund new kindergarten programs for four and five year olds. Indeed, the guiding principle in this initiative is equality: equal opportunity to learn during the foundation years.

We have recognized that our technical schools need to keep up with the changing technologies and have committed \$60 million for that purpose. Most high school graduates go on to community college or directly to work. Even to be eligible to train for skilled jobs, they must have a solid grounding in mathematics and the sciences, but our young people must also master information technology and be able to put it to work for them. Only with these tools will they be able to achieve our fondest hope for them, a better standard of living.

The terrific growth, particularly in the greater Toronto area, has created a demand for new schools that is unparalleled. The government has committed \$1.2 billion in capital dollars to build schools and the Treasurer has resisted the temptation to balance the budget by preflowing \$410 million of 1990-91 funding for schools and hospitals this year. Getting those schools built has been given the clearest possible priority.

Keeping Ontario competitive: While a well educated workforce is essential so that Ontario can hold its own against the world, there are other critical factors. Our business and manufacturing

sectors must be looking to nontraditional markets and must be developing the critical mass necessary to withstand competition in those markets. As a former parliamentary assistant to the the Treasurer and a former member of the parliamentary assistants committee on small business, I learned that small businesses create most of our jobs in Ontario. Unfortunately, they tend not to be the highly skilled jobs and more often than not, they are in the lower-paying service sector.

The budget has capitalized on the initiative of this sector to create new businesses and has launched and funded growth ventures, a program to help those small businesses to grow by providing sources of equity capital; \$100 million in loan guarantees has been allocated. Anyone who has run a small business will know how critical it is to be able to inject new capital at key growth stages.

The budget also funded a number of research and development initiatives, all aimed at giving our businesses a leg up in developing and finding new markets for very expensive new technologies. The Premier's Council technology fund is spending \$132 million to promote industrial processes and to encourage the growth of innovative companies. The five-year environmental technologies program is spending \$30 million to assist companies in the research and development of environmentally sound technology and processes. There is a new \$300-million loan guarantee program for eligible businesses installing vital pollution-abatement equipment. Additional funding has been provided for the Centre for International Studies to conduct research and strategic policy analysis into international, economic and political issues.

The budget renews the commitment to the university research incentive program by providing \$25 million over three years to encourage the sharing of research expertise between university faculty and the private sector. Centres of excellence have been set up using the Premier's Council technology fund. They are carrying on research in the fields of material, space, and terrestrial science, manufacturing, information technology, ground water, telecommunications, laser and light waves. The government's high level of support to these endeavours has continued in this budget.

On the marketing side, \$10 million has been provided to help our businesses develop international trade opportunities abroad. This is not just window-dressing. A number of businesses in east York have visited Japan, Europe and

Australia and, with Ontario government assistance, have landed contracts and made inroads into those markets.

I could go on and on talking to the House about the doubling of money for environmental projects, the \$2-billion capital program for roads and transit, the money for the fight against drug abuse, for victims and for the prevention of family and sexual violence, but time really does not permit. What I would like to close with is that this government and this Treasurer have been consistent in their emphasis on continued deficit reduction and the need to pay our bills as go along.

Ontario has slashed \$911 million from its deficit to bring it to its lowest level in 15 years and at the same time has produced the largest operating surplus in the province's history. With a deficit of \$577 million and operating surplus of \$2.6 billion, the government will pay for its day-to-day operations and for 82 per cent of its capital requirements out of current revenue. It is that kind of fiscal prudence that will enable us to survive and prosper in less buoyant economic times and that will enable us to compete with the world.

On motion by Ms Hart, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon Mr Ward: Mr Speaker, before reading the business of the week pursuant to the standing

orders, I would just like to remind all the members that this is the last day for this particular group of pages. For the last several weeks they have been serving the needs of members in the House as they go about their tasks. I trust it has been a significant learning experience. I am sure they will return to their schools with a much greater faith in the democratic process and the tremendous dedication that all members of the Legislature have. So thank you very much.

On Monday 13 November the House will not be sitting.

On Tuesday 14 November we will proceed with second readings of Bills 68, 69 and 70. There will be a deferred vote at 5:45 on third readings of Bills 2 and 3.

On Wednesday we will continue the second reading debate on Bills 68, 69 and 70.

Thursday 16 November in the morning will be private members' business, and in the afternoon, we have an opposition day standing in the name of the member for Mississauga South (Mrs Marland). However, that is, I understand, subject to some ongoing discussions and if that opposition day does not transpire we will continue with committee of the whole on Bill 147 and Bill 119 and any unfinished business from the previous days.

The House adjourned at 1802.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

HOSPITAL BEDS

259. Mr Eves: Would the Minister of Health provide the exact locations (by hospital and community) of the hospital beds (both acute and chronic care) approved by the ministry in accordance with its announcement of 14 May 1986? [Tabled 10 July 1989]

See sessional paper 204.

GOVERNMENT PUBLICATION

278. Mr Harris: Would the Minister of Housing provide a breakdown of the total cost of designing, printing and distributing the 1989 edition of her ministry's publication Community Action for Housing and, in addition, indicate the total number of publications produced, those

individuals and groups to whom the publication was distributed and by what means? [Tabled 10 July 1989]

See sessional paper 206.

AWARD OF GOVERNMENT CONTRACTS

307. Mr Laughren: Would the Chairman of the Management Board of Cabinet indicate, for each ministry, the number of times the Canadian preference program and the industrial development review process have been utilized to award contracts in each of the past three years and the dollar values of each contract involved? [Tabled 24 July 1989]

See sessional paper 205.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
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 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
- Miclash, Frank (Kenora L)
- Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
- Morin-Strom, Karl E. (Sault Ste Marie NDP)
- Neumann, David E. (Brantford L)
- Nicholas, Cindy (Scarborough Centre L)
- Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
- Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L)
- Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
- Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
- Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
- Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)
- Pollock, Jim (Hastings-Peterborough PC)
- Polsinelli, Claudio (Yorkview L)
- Poole, Dianne (Eglinton L)
- Pope, Alan W. (Cochrane South PC)
- Pouliot, Gilles (Lake Nipigon NDP)
- Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
- Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
- Reycraft, Douglas R. (Middlesex L)
- Riddell, Jack (Huron L)
- Roberts, Marietta L. D. (Elgin L)
- Runciman, Robert W. (Leeds-Grenville PC)
- Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
- Smith, David W. (Lambton L)
- Smith, E. Joan (London South L)
- Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
- South, Larry (Frontenac-Addington L)
- Sterling, Norman W. (Carleton PC)
- Stoner, Norah (Durham West L)
- Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
- Tatham, Charlie (Oxford L)
- Velshi, Murad (Don Mills L)
- Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
- Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
- Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 68

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Tuesday 14 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 November 1989

The House met at 1330.

Prayers.

LEGISLATIVE PAGES

The Speaker: I would ask all members to join me in welcoming our next group of pages who are serving in this, the fall session of the 34th Parliament. They are: Marcus Arndt, High Park-Swansea; Amber Baguley, York East; Timothy Bailey, Scarborough East; Jonathan Ball, Simcoe East; Jenni Clarke, Windsor-Riverside; Tristan Cooke, Mississauga North; Michele Diebold, Lanark-Renfrew; Monica Dorion, Nickel Belt; Bruce Fraser, Kenora; Aaron Good, Ottawa Centre; Michael Hall, Burlington South; Adrienne Law, Beaches-Woodbine; Sarah Law, Scarborough-Ellesmere; Stefanie McIver, Lambton; Kristina Navarro, Windsor-Sandwich; Michael O'Meara, Halton North; Joshua Pascoe, Waterloo North; Mark Powell, Simcoe Centre; Grant Pritchard, Carleton; Joanna Sanders, Port Arthur; Wayne Shapley, Brant-Haldimand; Jonathan Schlegel, Perth; Sara Tomlinson, Renfrew North, and Gemma Zelmanovits, York North.

MEMBERS' STATEMENTS

REGIONAL GOVERNMENT

Mr Kormos: I am using this opportunity to report a missing report. I will back up just a little bit. Some time ago—in fact, for a good chunk of time—people down in regional Niagara were concerned about what they perceived as perhaps excesses and inefficiencies on the part of regional government in Niagara, and perhaps excesses and inefficiencies that are shared by other regional governments across Ontario. What people did—people like Lillian Clark, members of communities across the region—was they organized and started to do some investigation on their own and they started to point out some concerns.

As a result of this impressive effort on the part of grass-roots people, the government ordered the Kitchen inquiry. Professor Harry Kitchen was hired to conduct what appears to have been an intensive inquiry. Indeed, he submitted his report in a timely way. The problem is that—we

are talking about almost \$500,000 later—this report, Professor Kitchen's report, is nowhere to be found. Professor Kitchen himself was surprised when merely by being in the ministry's office he saw that it had been published and printed. Indeed, there are 2,000 copies printed in English and French. It is a 616-page report.

I am loath to think that the government is embarrassed about what that report says about regional government. I prefer to think it is merely lost. If they have lost it, why do they not tell us? We will help them look.

TORONTO AREA TRANSPORTATION

Mr Cousens: Today the mayor of North York, Mel Lastman, unveiled a proposal to include the private sector in construction of the Sheppard subway line. As outlined by Mayor Lastman, the development community would underwrite much of the \$2-billion pricetag in exchange for higher-density limits on their buildings.

I applaud the mayor's initiative and welcome private sector contribution. I do question, however, the provincial government's reluctance to become involved in this project or in any major transportation initiative for that matter. More than at any other time in our history, this government has had an opportunity to address the transportation problems of Metropolitan Toronto and the greater Toronto area.

During the past four years, this province has witnessed record economic growth. Ironically, this government fails repeatedly to improve upon a transportation system that will sustain such growth. Transportation is the lifeblood of a healthy community. As the arteries in the body feed the heart of the body, so too do our transportation arteries feed the heart of the greater Toronto area.

Tragically, Metro and the greater Toronto area are suffering from arterial sclerosis. Tragically, this government is passing such a major responsibility to the private sector and the municipalities. It is time for this government to stand up and assume some responsibility for the future of transportation in the greater Toronto area, and that includes the Sheppard subway. It is time they stopped sitting around doing nothing and did something.

PETERBOROUGH PAPER CONVERTERS

Mr Adams: To many people, the new 38-cent stamp is just a way to mail a letter, but to the people of Peterborough Paper Converters it is much more than this.

The new postage stamp commemorating two Canadian infantry regiments is being printed on special paper made in Peterborough. Every Canadian who licks those stamps will be tasting a bit of Peterborough.

The president of Peterborough Paper Converters, Bob Jameson, says: "It took a big effort from all 150 plant employees for us to win this very special order. It is great for the company and it is recognition for Peterborough."

Peterborough Paper Converters is not just a plant located in Peterborough; it is a plant that was conceived and developed in our community. It is at present developing a brand-new facility in the city's fine Gateway Industrial Park. It is building for the future.

The economy of this province ultimately depends on the energy and drive of homegrown industries like Peterborough Paper Converters. I say to my colleagues, keep licking those stamps and join me in congratulating everyone at Peterborough Paper Converters for their fine achievements.

WASTE MANAGEMENT

Mrs Grier: Last month, PACT, Pickering-Ajax Citizens Together, and POWER, Protect Our Water and Environmental Resources, issued a proclamation to the Premier (Mr Peterson) from concerned citizens of Ontario. It reads as follows:

"1. The GTA is unnecessary. It is undemocratic and unaccountable. Inserting another tier of government into waste management, where four levels of government now share authority, would only compound our problems. Keep the regional governments responsible.

"2. Landfill sites and waste management planning are a public responsibility and must be carried out by people directly accountable to the public. The enormous revenue from waste handling, now attracting private proponents, must remain public revenue.

"3. There must be a full environmental assessment of all waste management sites. Under the pretext of a garbage crisis, which is being allowed to build, the provincial government has promised a 'fast-track' assessment of short-term sites recommended by the GTA.

"4. Cut the problem down to size. Enforce the 4Rs: reduce, reuse, recycle and recover. Legisla-

tion to reduce packaging and require recycling must be passed immediately. Government effort must be put into creating province-wide and nation-wide markets for recycled materials. Landfilling and incineration are a poor use of our precious natural resources."

I agree with the proclamation.

1340

HIGHWAY CONSTRUCTION

Mr Harris: Twelve days ago, I informed this House about this government's failure to fund a new interchange at the intersection of Highway 11 and the Trans-Canada Highway south of North Bay. I told the House there were six accidents at this corner on one day alone. I suggested that if this administration were really serious about safety and rising insurance rates, projects such as this should get priority.

I regret to inform the House about yet another accident at this intersection this morning. Two vehicles were involved, damage was major, two people were seriously injured and one person died.

How many more accidents have to happen before this government acts? How can this government justify giving away \$143 million to huge insurance companies as part of its no-fault plan, when it refuses to provide even a fraction of that amount to improve highway safety?

Finally, how can a traffic count that is at least 60 per cent higher than that of other comparable and similar intersections, with projects currently under way, be so tragically ignored?

In 1987 we had 200,000 traffic accidents in Ontario. With safer highways and better interchanges, we can save lives and prevent the kind of accidents that happened this morning. Once again, today, I call on the government to act on the interchange at Highway 11 and Highway 17 and others like it across this province.

WARD SIMPSON

Mr Dietsch: I would like to inform this House of a very special individual who was recently honoured in Niagara-on-the-Lake. On Friday 10 November, Ward Simpson was named Citizen of the Year at a dinner held by the chamber of commerce.

Mr Simpson is a pharmacist and a community activist. He has a long and impressive list of volunteer work to his credit. This includes heading the United Way fund-raising drive, a decade of chauffeuring Santa in the annual Santa Claus parade, playing Santa at the town's hospital and the nursing homes and coaching

minor baseball and hockey. He also helps raise funds for cancer, diabetes and heart and lung research and helps organize the famous Virgil Stampede.

A resident of Niagara-on-the-Lake for 12 years, he runs his own pharmacy on Highway 55. The 45-year-old resident was born and raised in Welland, as the youngest of nine children, and he and his wife, Oresta, have two children of their own, Lisa and Shawn.

Despite the fact that the dinner was meant to recognize his numerous contributions to the community, Ward dedicated the honour to John Gwynne, a close friend who passed away earlier this year.

As I am sure all members of this House realize, it is individuals such as these whose work has, in one way or another, unselfishly reached out and touched many lives in their communities that is what makes our communities great.

Please join me in congratulating Ward Simpson, Citizen of the Year of Niagara-on-the-Lake.

COLLÈGES DE LANGUE FRANÇAISE

M. R. F. Johnston : J'ai reçu les détails d'une étude sur les besoins de viabilité des collèges de langue française dans le nord de l'Ontario de la Société Radio-Canada, ce qui est déplorable. C'est un rapport que l'on attendait depuis le mois de septembre, qui a été fait pendant l'été par la compagnie Accord et qui avait été promis par l'ancien ministre pour le mois de septembre.

Aujourd'hui, j'ai entendu à la radio les résultats de cette étude, une étude qui dit : « Oui, nous avons un grand besoin d'un collège francophone dans le Nord. » J'espère que, après toutes les consultations qui ont été faites, et maintenant, après la publication de ce rapport par la Société Radio-Canada, le gouvernement annoncera bientôt son intention sur l'avenir d'un collège de langue française pour le nord de l'Ontario.

CLEANTARIO

Mr McLean: My statement is for the Minister of Tourism and Recreation. The minister no doubt recalls that the 25 April throne speech contained a reference to the creation of Cleantario, the Lottario fund to help finance the protection of the environment.

About seven months have passed and we do not know what type of numbers game Cleantario will be or when and where Cleantario tickets will go on sale. We have not heard a single word about Cleantario since the 25 April throne speech.

Instead, we hear about a new gimmick to coax an extra dollar from Lotto 6/49 players. Lotto 6/49 tickets now carry six more numbers at the bottom of each ticket that are chosen at random by the computer.

The minister appears to be more concerned about promoting a new enticement to get that last buck out of lottery ticket buyers than he is about getting a lottery off the ground that is supposed to help finance environmental protection.

The government continues along the path of creating new forms of regressive taxation aimed at hurting the poor and the compulsive rather than showing leadership and creativity in protecting Ontario's fragile environment.

I think the people of Ontario can see quite clearly that with this government in power the odds are stacked heavily against the environment in Ontario just the same as what the college students have gone through in the last three weeks.

FAMILY UNIT

Mr Tatham: Is there any connection between problems such as teen pregnancy, drugs, suicide among children and teenagers, and changes in family structure and child rearing?

At a recent conference on the social and economic costs of family dissolution, sponsored by the Rockford Institute in Rockford, Illinois, Dr Armand Nicholi, professor of psychiatry at Harvard Medical School, observed, "It is very clearly documented that what happens when a family breaks up has a severe detrimental effect on children."

Noting that the divorce rate has risen more than 700 per cent in this century, with most of the increase occurring in the 1970s, Dr Nicholi adds that apparently as a society we refuse to accept data that demands a radical change in our lifestyle. He calls for a revolutionary concept of the family. In the workplace, this would involve making the family the highest priority in institutions ranging from the federal government to the corner store.

Many of us accepted the negative data about junk food and also the need for exercise. Have we paid enough attention to the troubling research about children and families? Certainly we all want fit bodies and healthy lifestyles. That is right. But let us make the 1990s truly the decade of the child.

Hon Mr Ward: The parties have agreed to statements on Victor Davis and the events in East Germany.

The Speaker: I gather there is unanimous consent.

Agreed to.

VICTOR DAVIS

Hon Mr Black: As Minister of Tourism and Recreation, I would like to take this opportunity, on behalf of the government of Ontario, to express my sadness and regret over the tragic death of Victor Davis.

Victor Davis, born in Guelph, Ontario, was one of Canada's most prominent international swimming stars and the greatest breast-stroke swimmer this country has ever produced.

In 1972, as a member of the Region of Waterloo Swim Club, Victor became a member of the national swim team and, at 17, he was the youngest swimmer in our history to do so.

Throughout his brilliant career, Victor enjoyed many successes. He set two world records, was a two-time world champion, a Commonwealth Games gold medallist and a two-time Olympian, capturing one gold and three silver medals between the 1984 and 1988 games.

Few of us who witnessed the Seoul Olympics will ever forget the never-say-die attitude that Victor displayed in Seoul, or the grimace of raw determination and desire on his face as he coached his teammates to a silver medal finish in the relay.

Victor and his long-time friend, Alex Baumann of Sudbury, were the centrepieces of Canada's swimming excellence during the 1980s.

In the final moments of his life, Victor's parents made the unselfish decision to donate his organs for transplant. In the words of his long-time coach, Clifford Barry, "They had better find a big man to take Victor's heart, as he was a big-hearted soul, both physically and mentally."

Victor Davis will always be remembered for his fierce determination and competitive spirit both in the pool and in his life. He served as a role model for young athletes from all sports, delivering a message that excellence in sports can be achieved through nothing more than hard work, good coaching, family support, and most of all, a desire that never quits.

On behalf of the Premier (Mr Peterson) and the government of Ontario, I would like to offer my respect and condolences to the friends and family of this truly remarkable Canadian, who gave so much of himself for his country, and asked for nothing more than the opportunity to compete and to excel.

1350

Mr Hampton: It is with a great sense of loss that Canadians pay their respects to Victor Davis, the world-record-holding swimmer whose achievements have brought international recognition to us all.

As was stated, he was born in Guelph and he trained with the region of Waterloo swim team for several years where he became both a local hero and a role model for hundreds of young people. He was a member of Canada's national swim team for nine years and his career climaxed at the 1984 Olympics with a record-setting win in the 200-metre breaststroke and a silver medal in the 100-metre event.

As the symbolic red maple leaf worn over his heart suggested, Davis was a proud Canadian and he earned global prestige for Canada's swimming program. His success was recognized nationally in 1984 when Davis was awarded the Order of Canada—no small achievement.

Having retired from competition last July, Davis used his expertise to create and to manage a comprehensive safety program for backyard pools. Since he began swimming some 18 years ago, Davis has been known for his determination and his incredible will to win, and that was the strength that won his Olympic gold medal. It was also the strength that resurfaced over the past two days in an incredible struggle to live and to survive. Unfortunately, that was a fight that probably no one could have won.

Victor Davis has left us, but I do not think we will forget Victor Davis. Out of this needless and devastating event will grow the memory of an elite athlete and a very great Canadian.

I express on behalf of all of the members of our caucus our regrets at the passing of someone whom we can all be proud of, and of course, our condolences to the family.

Mr J. M. Johnson: It is with a great deal of sadness that I rise today to join with my colleagues from the other two parties, and on behalf of the Progressive Conservative Party, to express our support for their very kind comments as we pay tribute to Victor Davis, a great Canadian athlete, and to mourn his untimely death.

He was a remarkable competitor with a dedication and determination which marks a winner. His specialty was the breast-stroke and he had been prominent in the world scene since 1982 when he won a gold and silver medal at the world championships. His time in the 200-metre event set a world record which stood for seven years—a remarkable achievement.

Since then he had won numerous gold and silver medals in events around the world. An outstanding moment for Davis and for Canada was his gold medal in the 200-metre event at the 1984 Olympics, where he also won two silver medals, and in the 1988 Seoul Olympics when his world-record lap in the men's relay won the silver medal for Canada.

Victor Davis was a native of Guelph and started swimming at an early age. He was the youngest person from the Guelph Marlin Swim Club ever to qualify for the nationals. The city was so proud after the 1984 Olympics that the main pool was renamed in his honour.

Since my riding of Wellington surrounds the city of Guelph, my constituents always considered Victor as one of their own people as well. His death is a shock to the Canadian swimming community and to his country. It is always a tragedy to lose a young person in the prime of life.

On behalf of my colleagues and myself, I would like to express condolences to Victor's parents and family and his many friends. We will always remember Victor Davis and his achievements with pride and respect.

The Speaker: As soon as the official Hansard is printed, I will make certain that a copy is received by the Davis family so that they are fully aware of the members' words of sympathy.

BERLIN WALL

Hon Mr Ward: This morning when I walked here to Queen's Park, I tried to imagine the unimaginable. I tried to picture a wall suddenly built down the centre of this city, cutting it crudely in half. I tried to envision a city, then a province and then its people arbitrarily and by force divided permanently and by violence kept apart.

In a city, a province and a nation where freedom seems simply a matter of course, a natural part of day-to-day life, an irrevocable birthright, this image seems inconceivable. But for 28 years this very phenomenon has been manifested in a wall built between East and West Berlin. It is not the daydream of a free man; it is the nightmare of a people cast in stone and concrete and topped with barbed wire.

Today, as we witness from a distance the stunning and inspiring events of recent days in East Germany, we must join together to recall the darker times that built the Berlin Wall, to share in celebrating the enlightenment that has brought it crumbling to earth, and finally to ensure that its

destruction is more than symbolism but a true catalyst of tangible and permanent change.

Nearly three decades ago, the great men of the day furiously denounced the construction of the wall as it rose and cast its shadow across Berlin. In his well-known speech in 1963, John F. Kennedy crystallized the feelings of a generation when he stood next to the wall in West Berlin and told the world: "Freedom has many difficulties and democracy is not perfect, but we have never had to put up a wall to keep our people in."

In our own country, Prime Minister John Diefenbaker attacked the creation of the wall as a "unilateral, illegal and provocative action." The most vivid characterization was perhaps offered by Winston Churchill at the end of the Second World War who saw an Iron Curtain descending across Europe.

Today we are part of the generation privileged to witness the curtain lifting. Here in Canada, safe, secure and free for all of our history, it is in fact quite difficult for most of us to understand what the people of East Germany are experiencing. It is easy for each of us to sit back idly and watch the news from East Germany as a placid and detached spectator, but no Canadian should settle for such mere acceptance. We have witnessed in recent days the throwing open of a border once thought to be impenetrable, the accelerated erosion of a barrier both symbolic and physical, and in the same rush of historic events, the fledgling liberation of a people.

As men and women whose lives are intrinsically connected to our nation's democratic process, we in this assembly must display an understanding, appreciation and respect for these events and urge the same in our fellow Canadians. But we must not yet assume that freedom's victory is absolute or complete in East Germany. Events of the next days, weeks and months will continue to demand our attention and support.

As East Germans revel in their new freedom, they must, with determination and tenacity, press their leaders for the implementation of permanent and tangible changes which will for ever give shape and form to the freedom that they now enjoy.

Two years ago Ronald Reagan challenged Mikhail Gorbachev to demonstrate his commitment to reform in the eastern bloc by dismantling the wall. Reagan's words were prophetic: "This wall will fall. For it cannot withstand faith. It cannot withstand truth. The wall cannot withstand freedom."

The Berlin Wall did not indeed withstand faith or truth or freedom, but its destruction must only be a beginning and our hearts must be with East Germany as it strives to build a new nation where the light of freedom displaces the shadow of oppression. Perhaps 25 years later, the words of John F. Kennedy have indeed proven to be prophetic. Today, in the world of freedom, the proudest boast of all is, "Ich bin ein Berliner."

Mr B. Rae: We commented on Thursday on Polish Independence Day and today, in response to a request from our party, the government agreed to give us all an opportunity to say something about the extraordinarily dramatic events that have taken place in the last three or four days in Berlin in East Germany. Now we understand certain proposals are being made about the Soviet Union itself with respect to the freedom to travel.

I can honestly say that I never anticipated that I would live to see the last couple of weeks. I suspect there are a great many members who grew up knowing no other world than the Cold War, knowing no other Europe than a divided Europe, and knowing no other possibility than the conflict between east and west of an irrevocable kind.

We have seen that those who say that history is over, how wrong they are. History is being made every day. We can see in the extraordinary events of the weekend—many people have said it; I will say it as well—a sense that the Second World War is finally over.

I want to add a couple of words, if I may, because of the drama of the events here in Ontario this weekend with the presence in our midst of a symbol of openness, a symbol of democracy in eastern Europe, Lech Walesa, the extraordinary impact that his visit had here and in Hamilton and in Niagara Falls, the celebrations which we were all able to see from so many people coming to all the meetings which were held and the extraordinary openness and vitality in the sense of change.

I can tell you, Mr Speaker, that I have accepted an opportunity to go to eastern Europe myself at the end of January for, I hope, two and a half weeks, for an opportunity to meet with members of the communities in Poland, in Hungary and elsewhere in eastern Europe to see for myself some of these exciting changes. But we are in the middle of some extraordinary change. It provides an opportunity for Canada, an opportunity for Ontario, and opportunity for all of us to respond with as much imagination and courage and creativity as the members of the eastern Europe-

an communities and governments themselves have shown.

I would call upon our government, call upon members of this Legislature, as well as on our own federal government, to take the most imaginative and creative steps possible to reach out over the wall; to reach out through the wall as we break it down; to reach out our hand of friendship to those who have known nothing but an oppressive and totalitarian regime for over 40 years; to see that change is possible, that democracy is possible, and that indeed everything is possible if men not only dream but men and women together act on those dreams, if women and men together have the collective will, the imagination and the courage to bring their dreams to reality.

Mr Cureatz: This weekend we saw an event which I and millions of others would not have believed would occur within our lifetimes: the concrete wall which has stood far too long, providing the physical manifestation of separation between the two Germanys, is being torn apart piece by piece. The events which have been happening in East Germany over the past few days are occurring at a dizzying rate and even the most insightful of political analysts are having difficulty explaining this sudden surge in reform.

However, Mr Speaker, I can tell you that the cause of this reform is the people of East Germany. For the past week, the people of East Germany have voiced their concerns loudly and, as a result, it is now possible for citizens of the two Germanys to travel freely across the border as East and West Berlin once again become one city.

Last night, the East German Parliament elected, in one of its first uses of the secret ballot, a reformist Prime Minister, to which 250,000 responded urging the government to introduce still further reforms. In response to the demands of its citizens, the East German government has announced that it will be abolishing the 1,375-kilometre death strip between the two Germanys. The Communist Party central committee has called an emergency congress for mid-December. In a special session at which the new Prime Minister was elected, deputies called for free elections and the removal of the designation "socialist" from the East German Constitution. Not only has East Germany opened its borders for free travel, but it is apparently also seeking to enter into a trade pact with the European Community by the beginning of next year.

In 1962, John F. Kennedy stood at the Berlin Wall and made his historic statement. In 1989, it

is finally possible for one to claim that he is a Berliner, neither east nor west, but simply a Berliner. On behalf of both myself and my party, I would like to express our support for the people of Germany, both east and west, during this period of change.

STATEMENTS BY THE MINISTRY

COMMUNITY COLLEGE TEACHERS' LABOUR DISPUTE

Hon Mr Conway: As members are aware, the academic staff at Ontario's colleges of applied arts and technology have been on strike since 18 October 1989. Negotiations between the Ontario Public Service Employees Union and the Ontario Council of Regents, the statutory bargaining agent for the employers, began in March of this past year. Members will also be aware that the parties have gone through fact-finding and mediation in the course of these negotiations and that mediation broke off on Saturday. Throughout these negotiations and the strike, the government has maintained the position that a negotiated solution is the preferred solution and that the parties had it within their capacity to arrive at a solution.

I must inform the House that I was advised today by the College Relations Commission that, in the commission's opinion, the successful completion of courses of study in Ontario's colleges is in imminent jeopardy. As the House will recall, under the Colleges Collective Bargaining Act, it is the responsibility of the College Relations Commission to advise me when, in the opinion of the commission, the continuance of a strike will place in jeopardy the successful completion of courses of study by the affected students.

I want to make it clear that students' courses of study have not yet been jeopardized. Such jeopardy, however, appears imminent, and I was prepared to act today to legislate an end to this strike. However, I can advise the House that moments ago, OPSEU and the Council of Regents have taken a voluntary step towards resolving this dispute.

Early this afternoon, the parties announced a protocol that will end the strike by the province's 8,800 teachers and return them to classrooms. Teachers will be back tomorrow, with classes resuming for students as quickly as colleges can arrange for them. Students should contact their college for advice on when their particular program will resume. Under the terms of the agreement, the parties will agree to one more effort at mediation with a new mediator, Martin

Teplitsky. Should it be necessary, the parties have agreed that Mr Teplitsky will assume the role of arbitrator.

I am pleased for the students that this strike is over and that they will be able to return to the classrooms. I am pleased also that the parties were able to agree on a mechanism for resolving their differences.

BETTER BEGINNINGS, BETTER FUTURES

PARTIR D'UN BON PAS POUR UN AVENIR MEILLEUR

Hon Mr Beer: I wish to advise members today of an exciting, new, broad-based research initiative designed to prevent emotional, behavioural, physical and school-related problems in children. I had the pleasure of sharing the details of this announcement with the delegates of Prevention Congress IV last night, here in Toronto. My ministry will be working closely with the ministries of Health and Education throughout this challenging undertaking, the first research initiative of its kind in Canada.

1410

L'étude sur la santé des enfants de l'Ontario est un projet dont la haute valeur est bien reconnue pour son examen de la santé mentale des enfants. Il en ressort que les enfants qui vivent dans des communautés économiquement faibles, dans lesquelles de nombreuses familles reçoivent de l'aide sociale ou habitent des logements subventionnés, sont particulièrement vulnérables. En effet, ils risquent, plus que d'autres, d'être affligés de désordres affectifs ou comportementaux, d'une santé faible et d'un rendement scolaire inférieur.

Soucieux d'aborder la question en tenant compte des conditions précises de l'Ontario, mon Ministère, le ministère des Services sociaux et communautaires, a coordonné les travaux d'un groupe de chercheurs et directeurs de programmes parmi les plus réputés en Ontario : 25 enseignants, travailleurs communautaires, psychiatres, psychologues, travailleurs sociaux et du personnel infirmier ont examiné et évalué des textes pertinents ainsi qu'un total de 45 programmes de prévention.

We are inviting proposals from community agencies, public health agencies and schools located in disadvantaged communities in Ontario. We expect to announce about six projects in selected communities across Ontario by next summer. For the first time, our three ministries will consolidate their services on behalf of infants, preschoolers and primary school children. All young children and their families in

selected communities will be eligible to participate.

Appropriately trained staff in the Ministry of Health, the Ministry of Education and the Ministry of Community and Social Services will collaborate to establish close relations with children and families. The staff will teach, counsel, co-ordinate services and meet the specific needs of families as they arise. In addition, those with responsibility for program direction will involve parents and community leaders to determine what other program components are needed for healthy child development in that particular community. Examples could include mothers' support groups, lunch or breakfast programs, employment training or recreation.

Because the program has great potential value for the ministries of Health and Education as well as the Ministry of Community and Social Services, funding will be shared by our three ministries. The ministries of Health and Education will each contribute \$700,000 a year for five years, while my ministry has dedicated \$1.8 million annually. Thus the three ministries will jointly fund this project at \$3.2 million yearly for five years.

We shall conduct a 25-year study of these children, their families and their communities, and we hope to find such positive short-term benefits as healthier mothers and babies, reduced child abuse and enriched primary school environments for disadvantaged children. We anticipate that the Better Beginnings, Better Futures initiative will help to break the cycle of disadvantage for a number of Ontario's children.

In the long term, positive benefits should include reduced juvenile delinquency, fewer school dropouts and teen pregnancies and less unemployment. As the study progresses, there will be open sharing of information on what really works in prevention in all government agencies, especially the ministries of Health, Education and Community and Social Services.

We all know the old saying about an ounce of prevention being worth a pound of cure. We know now that an ounce is not enough, especially for children and families who live in poverty. The Better Futures program is unique in that it unites the many existing prevention efforts into a consolidated approach, which I and my colleagues in the ministries of Health and Education believe will result in benefits that will be felt in the community for years to come. When this model and its guidelines are put into practice, we will have taken an important step by spotting the

potential for emotional, behavioural and physical difficulties in children and correcting them before they become problems.

RESPONSES

COMMUNITY COLLEGE TEACHERS' LABOUR DISPUTE

Mr R. F. Johnston: I might first respond to the Minister of Colleges and Universities (Mr Conway) and share the sigh of relief that I think all of us have felt that a solution seems to be imminent and, better than a legislative solution, an agreement, at least, and a process between the two parties. The ones who are most relieved, I think at this stage, are probably a group of students who are not as convinced as the minister seems to be that their year has not been lost.

I can think of a number who have already left the college system at this point because they do not feel, with their particular kinds of courses, that they are going to be able to get the kind of education they need at this time. I think I can allude to the fact that at Sault College there is a presumption that as many as a third of the students will have left and will not be coming back, and if that is not a major effect on that college system, I do not know what is.

In looking at this system, I cannot help but say that the parallels to 1984 are incredible. That year, the Premier (Mr Peterson) attacked Bette Stephenson, the minister at the time, for not putting in a few extra dollars to bring about a solution. He said it in this House. There are wonderful quotations from the Premier, and yet she said intransigently that the government was not at the table, the government had no role to play there, just as has the Minister of Colleges and Universities here in 1989. I say the only difference between the two is a bouffant coiffure. I will not ask the House to guess which one was which. I would say that I have every confidence that a solution will be found.

BETTER BEGINNINGS, BETTER FUTURES

Mr R. F. Johnston: On the other matter, as the critic for the Ministry of Education, I want to say to the Minister of Community and Social Services (Mr Beer) that this announcement is quite disappointing today. The select committee on education said it is time we changed our goals of education to make sure there are social goals and that the thousands of kids who are disadvantaged are no longer dropped between the cracks again as they have been in the past.

What has the minister done here today? What he has come up with, if I can believe it, is a set of

pilot projects; only \$3.2 million a year going into what we know has been a dismal failure in the education system.

Hon Mr Scott: What's-A-Million Johnston.

Mr R. F. Johnston: I would to say to the Attorney General, what is a million? It is not a matter of a million dollars; it is a matter of lost possibilities for those poor kids in the province of Ontario.

What we need, instead of a few more pilot projects, is some systematic change. I would like to know why the minister has not made a statement with the Minister of Education (Mr Conway) today saying what kind of rationale he has for the role of day care and the role of junior kindergarten and why the class sizes in grade 1 are so substantially different from what they are for kindergarten. He should look at those kinds of matters, and why we do not have a reporting system for kids who are absent in kindergarten at this point. He has not even suggested that basic systematic change which could identify kids more appropriately than just another few projects listed for another few years.

Mr Allen: At first glance the statement of the Minister for Community and Social Services, Better Beginnings, Better Futures, looks promising in a multimedia kind of response to the problems of disadvantaged children, but a very disturbing sense creeps over one. First of all, the proposals are based upon a series of studies and research, some of them long-term, in other communities. Why are we just simply reinventing the wheel and applying them in another series of research projects here in Ontario?

Second, the problem of poverty is the problem of poverty. Poor people are poor because they are poor. So the disturbing sense one gets from the proposal is that we are going to turn loose a whole series of specialists on various aspects of child care and child development and family development and parental development, in order to do what? To deal with symptoms of poverty, when we should be, in fact, equipping the families in question with the precise resources that they need; namely, monetary, physical resources to at least be normal families in the first instance.

What good is a 25-year study in six project areas if we are not ourselves eliminating, in point of fact, the fact of poverty in our communities? Why have we not had an announcement on a minimum wage of at least \$8.50 an hour? Why have we not had a complete system of universal day care for children of all working families? Why have we not had appropriate and full and complete pay equity systems and employment

equity in place? Those are the items that are going to equip families to do the job themselves. Lacking that, this kind of stuff is primarily window dressing.

COMMUNITY COLLEGE TEACHERS' LABOUR DISPUTE

Mr Brandt: I want to respond to the statement made by the Minister of Colleges and Universities (Mr Conway) in connection with the partial resolution of the problem of the strike that the minister has announced today. Let me just say that once one reads through the rhetoric contained in the minister's statement, one sees very quickly that none of the issues have in fact been resolved. The issues remain on the table, and the minister makes a point in his statement of saying that the parties had it within their capacity to arrive at a solution. The parties have not arrived at a solution; they are now hoping that some form of mediation or arbitration will resolve the issue.

1420

I too, along with the members of my party, am deeply grateful that the students will in fact have an opportunity to return to the classroom, but I do not think the minister should be overly satisfied with the fact that over a month ago he could have brought in this selfsame solution to the problem. He could have solved it at that time by taking these measures with the co-operation of the other two parties had he taken an active role in the entire negotiation process.

I want to say to the minister that one of the matters of deep concern that he should feel at this time is that estimates of up to 1,000 students have quit and left the system and have not had their school year saved, as a direct result of his inaction on this particular matter.

Mr Jackson: I too would like to respond to the statements by both the government and members of the New Democratic Party as they express their relief that they will not have to be standing in this House in four hours to vote for a legislated conclusion to this dispute. I think it speaks volumes on where both the government and other members of this House have come from, through a series of questions and answers in this House.

We all are relieved that a large group of students will be able to return tomorrow, but there are many students who will be denied that opportunity because this government, particularly this minister, has been playing politics with this issue. The minister has taken his hand and put it as close to the burner as he possibly could. In an effort not to get burned, he has checked with his political advisers and with the pollsters

to determine what he could get away with in this dispute. But I want to inform the minister that hundreds, and we may find several thousand, students did get their hands burned during the course of this strike because of this government's inaction.

What happened to this Premier (Mr Peterson) who, when he was sitting here in opposition just five years ago, some 12 feet from the seat he now holds in power, indicated in 1984 that students should be in school and the minister should be at the bargaining table? What has happened to this loose-lipped Liberal leader in opposition now that he is the Premier? What happened to him?

I will tell members what happened to him. It is the same Premier who, four or five years ago, said that what was needed to resolve these disputes was a little bit more cash and a little more sensitivity on the part of the minister. He did not give the minister the cash to assist this dispute, and he gave us a minister who lacked the sensitivity to understand the risk that students were at.

I happen to be one who has gone through a mediation arbitration experience with Martin Teplitsky and I think the parties are in for an interesting experience, but I can tell the minister, when I was involved with a dispute of this magnitude in my own board, we did it without a strike because we put a strong emphasis on the need to ensure that students' educational experiences were protected.

I am convinced—as is, I am sure, any member of this House who has received phone calls from students in his or her riding who no longer will be going back to community college is; we remain convinced—that the only reason the jeopardy finding was not announced last week and there was not the political will to present a jeopardy hearing last week, as was done five years ago, was that the Premier was still in this country and he would have to stand accountable for these types of rhetorical statements.

The Premier is in Italy with several members of his caucus, and he has distanced himself from resolving this dispute. I think what is required in this province today is a little more sensitivity to post-secondary education and not the rhetoric that we keep getting from this government. I remind this government that it became a government as a result of an accord with the New Democratic Party, and not one mention in that three-page document was for support for post-secondary education. We have waited five years, and we still do not have it.

ORAL QUESTIONS

RETAIL STORE HOURS

Mr B. Rae: I have a question for the Attorney General. He will perhaps remember, and I would ask him to cast his mind back to 14 April 1988, when the government announced its approach to the Retail Business Holidays Act. At the beginning of his statement on that day, the Attorney General said, "One of the main reasons the government decided to change the previous legislation was precisely because it was abused." He goes on to say The act was, in short, "a law whose application was becoming more and more impossible to enforce."

We have now seen this weekend that there are large chains that feel they can drive a truck through the government's law. I would like to ask the Attorney General, does he not now realize that the government was wrong in 1988, that what it has produced is even more unenforceable than what it had before and that in fact the law needs to be changed in order to carry out public policy?

Hon Mr Scott: No, Mr Speaker.

Mr B. Rae: One of the policemen whose district includes Richmond Hill, Markham and Vaughan said in the Toronto Star on 13 November, and I am quoting to the Attorney General: "It is not an adversarial situation.... The stores know they are going to be charged and they accept it as a cost of doing business." That is what has happened to the Liberal law.

In light of the fact that section 8 of the law, which the government passed last year, states that counsel for the Attorney General may apply for injunctive relief, I wonder if the Attorney General can tell us why on the weekend he said that he had no intention of seeking injunctive relief and no intention of trying to see that the law was enforced?

Hon Mr Scott: First of all, I did not say that on the weekend. Second, I would like to make it plain to all honourable members that the government, as well as other people in the community, was shocked by the announcement that was made by counsel of large retailers that irrespective of the law of the province, they were, in selected areas, going to ignore it. They did not decide to ignore it everywhere. They decided to ignore it only in those municipalities where they thought their abuse of power could work their way on municipal councils. I do not approve and I am sure honourable members do not approve of that kind of blackmail.

The attitude of these companies towards a law of general application in the province shows clearly, and everybody should know it, that they are bad corporate citizens.

The honourable member will want to know that through the co-operation of municipal police forces in those municipalities where these stores so flagrantly breached the law, close to 100 charges have been laid, and the crown attorneys in those cases have been asked, on behalf of the Attorney General, to prosecute those cases as vigorously as can be done, to ask for maximum sentences of \$50,000 and to ask that profits be taken from the companies, as is permitted under the act.

Mr B. Rae: I am just curious. The words spoken by the Attorney General sound as if he is somebody who is prepared to see that the law is enforced, and enforced fairly, across the province. That is what it sounds like to me. In light of that, I wonder why the Attorney General would not apply section 8 of the act.

Mr Callahan: Pretty good.

Mr B. Rae: The member for Brampton South, who speaks far more eloquently from his seat than anywhere else, says that it sounds good.

Just so members will know, the law states, "Upon the application of counsel for the Attorney General or of a municipality to the Supreme Court, the court may order that a retail business establishment close on a holiday to ensure compliance with this Act or a by-law or regulation under this Act."

I want to ask the Attorney General if he can tell us why it is possible for a municipality to seek injunctive relief, but in fact the government of Ontario has no intention of attempting to enforce the law in that way.

1430

Hon Mr Scott: May I say for the second time that I have never said that and I am surprised that the honourable member, who is ordinarily very fair-minded, should read only part of the section with which we are concerned.

I am quite aware of what the powers of regional municipalities and governments are under this statute. We have indicated that when charges are laid, and they have been laid, they will be prosecuted as aggressively as we can prosecute them, so that these people who are prepared to abuse their fellow citizens by putting this law to one side to suit their own economic convenience, or to bring pressure to bear on municipal councils, will be brought to justice.

We will look carefully at all steps that can be taken. I can tell the honourable member that the staff of my ministry are already in touch with the regional municipality of Peel, which has indicated it is considering an injunction application.

TEMAGAMI DISTRICT RESOURCES

Mr B. Rae: This becomes even more crucial when we put it side by side with what I understand the government has announced with respect to the Indians who are seeking to enforce their rights in Temagami. I understand again from the newspaper, not from anything the Attorney General has said in this House, that, "Provincial officials have said they plan to go before the court tomorrow to seek a counterinjunction against the band's blockade." I understand a permanent injunction is to be sought on Thursday.

I wonder if the Attorney General can explain to the native people, who are seeking to enforce a 4,000-year-old land claim, why it is all right for the Attorney General to put them into a paddy wagon, but he is not prepared to do anything practical, anything within his own power, to deal with the problem of the law being broken with respect to Sunday shopping.

Hon Mr Scott: On the subject of Sunday shopping, which forms part of the question, I have given my answer and I do not think I can add to it further.

I am obliged to tell the honourable member that an injunction was granted an hour ago with respect to the construction of the extension of the Red Squirrel Road, prohibiting anybody, not merely natives but anybody, from preventing the construction of that road.

From the very beginning, the government has taken the position that it will not take steps or does not take steps until its lawful authority to act is made clear. That is why an injunction was sought, so that everybody would have the opportunity to make their case to the court as to the propriety of what we were doing. That has been clearly established in a courtroom and the injunction has been granted for the purposes of assuring that kind of clarity, so that the government would not be acting unilaterally against the claim of the Temagami band.

Mr B. Rae: I find it hard to believe that the Attorney General, who has spoken so often in this House of his record as a civil libertarian, would say that it is okay for the government to seek injunctive relief when it comes to constructing a road across land that has been claimed by our native people and is now the subject of a

major dispute before the Supreme Court of Canada, but that he is not prepared to see that the law is enforced by way of an injunction when it comes to Sunday shopping. Because of the nature of the economic interests that are involved, I can tell him they are very different from that of a few hundred native people in Temagami.

That is the message that comes out of this government. They have one law for one group of people and another standard for others. I would like to ask the Attorney General what additional steps he is planning to take to avoid a tremendous confrontation in Temagami as a result of the government's decision to go for an injunction.

Hon Mr Scott: I think the honourable member, accidentally no doubt, does an unfairness to the issue when he characterizes it in that way. The Temagami band make a claim to 4,000 square miles that is occupied by them and by 10,000 other Canadians who live and work there. That case has been adjudicated twice in our courts against their claim. A startup offer of settlement of \$30 million, including \$15-million worth of land, has not been able to bring the band to the bargaining table.

I simply emphasize to the honourable member that in the meantime decisions have to be taken. The government has taken those decisions and in every instance where there is some concern about the Temagami band's claim and whether we should proceed, we have invited the court's comments, as we did on two or three previous occasions. The purpose of the application this morning was to make plain that what we are doing is lawful and appropriate in the circumstances.

Mr B. Rae: I want to say to the Attorney General that the message I get is that he is prepared to bring down an injunction on the backs of the native people, but he is not prepared to bring down an injunction on Loblaws. That is the reality. That is the message we get. That is exactly what the Attorney General has done. He has done one thing for one group of people and he has done another very different thing for Loblaws and Miracle Food Mart.

Mr D. S. Cooke: Double standard.

Mr B. Rae: That is the fact of the matter. There is a double standard at work here.

The Speaker: Do you have a supplementary?

Mr B. Rae: The Attorney General, in this house, has in fact made two different offers public to the band in question. He made an original offer, which was subsequently with-

drawn after the Court of Appeal decision. Another offer was made, which was worth far less than the first offer. Yes, less.

Hon Mr Scott: No, my friend. Prove that to me.

Mr B. Rae: I will show it to him.

The Speaker: Order.

Mr B. Rae: I want to ask the Attorney General, is there one offer, and one offer only, from the provincial government? Precisely what are the terms of that offer and does that offer still stand?

Hon Mr Scott: I know the honourable member will read any message into whatever he hears that suits his paltry political interests. I understand that, but having said that, I want to tell the honourable member that the latest offer to the band is a matter of public record. The honourable member has a copy of it.

I believe it is as beneficial an offer to the Temagami band in dollar and other terms as the first one, which was withdrawn because the condition about the Court of Appeal did not meet the needs of the Temagami band. The purpose of this offer is to indicate the goodwill of the government and people of Ontario to the Temagami band and serves as an invitation for them to come to the bargaining table. They will not do so and I understand perfectly why they take that view.

I want to emphasize that unlike the previous government, from the start we have been prepared to negotiate this thing through to the end, through to an appropriate conclusion. We continue to be prepared to negotiate it but you cannot negotiate alone. When the band is prepared to come to the table, we will be, as we have been for years, prepared to meet to discuss the issue with them.

RETAIL STORE HOURS

Mr Brandt: To the Attorney General: I want to return to the question of Sunday shopping. In view of the fact that section 8 is available for him to act upon with respect to province-wide authority, recognizing that the action being taken by the grocery chains in this province is clearly going to impact across this province, and recognizing as well that the municipalities, virtually unanimously across Ontario, told the Attorney General and his government directly that they did not want Sunday shopping laws with the responsibility thrust upon them, why is the Attorney General now washing his hands entirely of this matter and not taking action on the part of

the government of Ontario to assist the municipalities?

Hon Mr Scott: I believe the Committee for Fair Shopping, as it is called, which comprises A&P, Dominion, Loblaws, Miracle Food Mart and the Oshawa Group, will sooner or later come to its senses and understand that it cannot publicly or privately permit this breach of a valid provincial law.

These are the very people, perhaps, who if they heard that a hungry shoplifter had stolen something in their shop would be crying for the enforcement of the law. I believe that the senior executives of these companies, upon reconsideration, will want to withdraw the threat they have made to the public of the province by this conduct.

Now, in the event they do not, charges have been laid, almost 100 over the last weekend. We have indicated that those charges will be vigorously prosecuted by the crown in those regional municipalities where they have been laid and we will be asking for the maximum penalties under the law.

1440

Mr Brandt: I have to say the Attorney General is being very selective in his application of the law. If in fact the Attorney General recognized a violation of the law as it relates to occupational health and safety, pay equity or environmental laws, selectively he would come forward and determine in his own mind which of those he would enforce.

I say that the Attorney General has a provincial responsibility to enforce his laws. The municipalities do not want it. They expect him to take some action and not simply wash his hands of it. Is that all he is prepared to do?

Hon Mr Scott: If the press reports are right, the regional municipality of Peel announced that it would be applying for an injunction very shortly and we have already been in touch with that regional municipality.

Mr Brandt: I have to say to the Attorney General that he has a responsibility to seek an injunction with respect to these very large chains. He recognizes full well that he is already faced with an overburdened court system. He is already faced with a number of municipalities, some of which are relatively small in terms of their economic base, that are going to have to fight very large, multimillion-dollar firms. The Attorney General is simply standing back and indicating, again selectively, that he is going to

vigorously prosecute these grocery chains when these matters are brought before the courts.

I have to say with due respect to the Attorney General that the very problem that we in this party and also the New Democratic Party indicated was going to happen is now unfolding exactly as we predicted it.

The Speaker: And the question?

Mr Brandt: They are going to piece off the municipalities—

The Speaker: Order.

Mr Brandt: —one by one, again because of his inaction. Will he take some responsibility in this matter?

Hon Mr Scott: The whole thrust of the question seems to be to illustrate that the leader of the third party was once right. I would be prepared to concede that, though not in this particular case, and an actual occurrence of his rightness escapes me for the moment, but I know one will be documented.

What the honourable member would want to know is the steps taken by the Committee for Fair Shopping, as they call themselves, have occurred, I believe, in only four counties in Ontario, and those counties are ones in which they are attempting to persuade municipal councils to pass bylaws. I have made very plain my view of their conduct. We have indicated that where charges are laid, as they have been laid by municipal police forces, they will be vigorously enforced by crown attorneys and maximum penalties under the law, of \$50,000 and loss of profits, will be sought until this abuse of the law ceases.

AUTOMOBILE INSURANCE

Mr Runciman: My question is for the Minister of Financial Institutions and deals with auto insurance.

Hopefully, the minister is aware of a study at the University of Toronto related to the no-fault insurance process in Quebec, indicating that the Quebec experience following the introduction of no-fault was that fatal accidents increased by close to 10 per cent. If we can transpose that to the Ontario experience, that would translate to an increase of more than 100 deaths annually in Ontario. As the minister will be aware, that is in stark contrast to the excellent record in this province in the past 15 years, where we have seen a gradual reduction in the number of fatalities. This study suggests that the government's no-fault plan exposes the province to an increase in traffic deaths.

Would the minister indicate what credible evidence he may have at his disposal that shows the Quebec experience is not applicable, and if so, is he prepared to table that information with this House?

Hon Mr Elston: The reports that have been made to us indicate that an insurance product by itself does not determine the rate of accidents. We have taken the advice of a number of the panels that have reported to us and indicated that insurance reform alone will not be used to reduce accidents.

In fact, what really does reduce accidents is better highway traffic management, better building of highways, better enforcement, better use of seatbelts and a number of other things. What we have done as a result is to set in motion a comprehensive plan to reduce accidents, in addition to providing a very fair and balanced approach to providing reimbursements for those people who have unfortunately become involved in accidents.

I would like to report as well to the House that it would be interesting to look at the experience in terms of accidents in other jurisdictions around North America, where there has been an increasing number of accidents that have occurred as a result of heavier mobility of automobiles, a lot higher activity economically and otherwise.

I can tell the honourable gentleman that in Ontario our primary concern with the Ontario motorist protection plan is to take the necessary steps to reduce accidents by better highway management, by safety construction, by education of individuals, by looking at how we can do exactly as the Minister of Transportation (Mr Wrye) mentioned last week by ensuring that young and inexperienced drivers—

The Speaker: Thank you.

Mr Runciman: The minister is again filling the air with noninformation. I asked him a specific question with respect to any studies that have been undertaken by this government. We have a very serious suggestion made here in a study at the University of Toronto that Ontario could experience an increase of 100 fatalities on the roads if we proceed with his plan. The Ontario Automobile Insurance Board expressed concern about increased accident frequency and fatalities. Osborne expressed the same kind of concern. I am asking the minister specifically, does he have any studies that will refute that?

Hon Mr Elston: Our review over the last two and a half years of the jurisdictions around North America and otherwise indicates that the insur-

ance product itself does not determine whether or not there are accidents. What does determine whether there are accidents is the degree of experience of the drivers, the construction safety that is implemented on the highways, the management of highway traffic congestion, the enforcement of all our laws and the increasing of fines—in some cases upwards of tripling fines; at least doubling in a lot of cases—mean that people will be brought around to understanding that they cannot be bad drivers on our roads.

In cases, however, where there is an accident and where there are problems associated with that and injuring individuals, our balanced approach is to provide quick access to benefits, quick access to rehabilitation and long-term care so that people can be assisted through the problem. The difficulty, though, is not with the insurance product but with ensuring that we are providing all the education and enforcement that is required on our highways to make them safer for the Ontario driver.

Mr Runciman: The reality is that the compensation will occur regardless of care taken on the highways and that in essence driver care will fall. That has been the proof of this particular study. Certainly, the minister has no facts to back up the position he has taken. It is another indication that he does not understand the implications of this very poorly thought out legislation. He does not have any answers. He does not have any studies. Again, it is a question of seat-of-the-pants, ad hoc management of this issue.

I want to ask the minister, based on the fact that he does not have any studies and that these are very serious suggestions being made, if he is prepared to refer this question with respect to accident frequency and fatalities to his new insurance board whenever it is assembled.

Hon Mr Elston: One of the things the new insurance commission will be in charge of is reviewing the accident rates and all the experience with respect to payouts and how the new product is reformed. We will be responding to the needs of the citizens. There is no secret about that. In fact, there is provision in the legislation to have an advisory committee provide the commissioner with advice as to how the product ought to be dealt with as we move down the years.

I have no problem at all in telling the honourable gentleman that I believe the legislation is responsive to a continuing, ongoing, thorough review of how the product responds to the needs of individuals, but I can tell the honourable gentleman and the people of Ontario

that it is not the product itself that creates safety. It is better education of the drivers; it is better enforcement of our speed laws; it is better use of seatbelts; it is better construction of highways. It is a whole series of things.

While the member says that our plan was not well thought out, this is a comprehensive, balanced, affordable approach to ensuring that there is safety on the highways of Ontario and that there is a quick and balanced access by injured people to benefits when they need them most.

1450

HAZARDOUS SPILLS

Mrs Grier: My question is for the Minister of the Environment and concerns the subject that I have raised with him on many occasions, the spills from the chemical industries into the St Clair River and the very real fears of the people of Wallaceburg and Walpole Island who take their drinking water from that river.

In a speech this weekend, the minister acknowledged that there had been almost as many chemical spills into the St Clair in the first six months of this year as there had been in the whole of 1988. This is a minister who has boasted about his tough enforcement of our pollution regulations and who has boasted about the massive fines that he is going to levy against corporate polluters.

Can the minister explain how, after four years in office, there are now more spills than ever into the St Clair River and maybe tell us what he is going to do about it?

Hon Mr Bradley: I thank the member for making reference to my speech which was made in Detroit at a conference dealing with the Great Lakes and issues related to that.

Mr B. Rae: My dog objected to it very strongly.

Hon Mr Bradley: I do not know whether the member of the third party wants to add to it. We will welcome his comments on that occasion.

But I indicated very clearly on that occasion that it was most disappointing and totally unacceptable that there would be any increase—I do not care what the size of the spill is; we can quibble over whether it is a large spill, a small spill or whatever it is—but it is unacceptable to see an increase. This is why we have, when we look at these figures, stepped up our enforcement activities and our abatement activities in the area, where we have each of the companies that has been involved speaking with our Ministry of the Environment officials right now and attempting

to come forward with a policy which will allow us to enforce on each one of the spills that has occurred.

We have seen millions of dollars spent by some of the companies along there for the purpose of improving their spill record. It obviously, in my view, has not been sufficient and it is quite obvious that in this new round of discussions between the Ministry of the Environment officials in the area and the companies that they will have to improve their management practices and they are getting counsel on that. But included in that because I looked, a lot of it is in terms of equipment—

The Speaker: Thank you. Sorry, we are getting into statement time.

Mrs Grier: Mr Speaker, if you had given him another minute, he would have got to the municipal-industrial strategy for abatement. I am sure he was going to get to that at some point. I would have been more impressed by the speech if I had not read it before. Last March, the minister made a similar speech and said, “I will not be satisfied until the situation is corrected.”

This minister has been telling the industries for four years that they have to do a better job and they are not listening to him. He has been telling us they would listen to him because there was going to be stricter enforcement and better control. Can the minister give us one good reason why he will not now put into place a tough control abatement regulation that will control these industries until MISA clicks in, which will not be for another two years?

Hon Mr Bradley: As the member may be aware and as I have indicated in my initial answer to her, we are in fact calling the major offenders to account at the present time and developing exactly that situation. There are not more spills than ever, as the member may be aware. There are more spills than existed last year, if we compare the six-month period of time, and that is what I find unacceptable.

This is why we believe that the discussions that are taking place now, the laying down of the law by the Ministry of the Environment officials, will be very effective. We will be writing requirements into their certificates of approval, into legal documents that require that by utilizing the best management practices, they are able to control these spills.

The member asked about the MISA program. Of course, that is the long-term solution to this particular problem and will have a major effect.

The member also knows that I do not control the judges of the province of Ontario. We can

bring forward our prosecutions and we do vigorously when there is evidence there that we can prosecute. We have done it on many occasions and we have had some big fines that have been levied, but unfortunately, I do not control what the judges ultimately do with those fines. I hope that we see those kinds of—

The Speaker: Thank you.

INTERVAL AND TRANSITION HOUSES

Mr Jackson: I have a question for the Minister of Community and Social Services. The minister would be aware that this year over 8,000 women and children who are the victims of domestic violence situations will be turned away from Ontario's 78 shelters and transition homes. He would also be aware that his government made an announcement in May that said nothing about expanding access to those existing beds and he would be aware that several cabinet ministers have talked recently about the need to eliminate violent environments from homes so that they become safe and secure positions for the victims of domestic violence.

What specific plans does the minister's government have for announcements that would expand the number of shelter beds that are available to women in this province?

Hon Mr Beer: As the honourable member is aware, this year we have directed more funds to the system in terms of trying to stabilize the salary situation, and that particular situation is at the point where I expect an announcement at any time. We have put some more funding into counselling as well.

I think one of the directions that we received from the various groups in this area was that two of the real requirements were to stabilize the system and to provide more money for counselling and outreach. We have moved in that direction initially. We would like to continue to move in terms of more beds, but the thrust initially has been on those other two elements.

Mr Jackson: The minister would be aware that domestic violence accounted for one third of the 60 homicides in the city of Toronto in this last year. We are talking about serious repercussions that families experience as a result of not having access to a bed. For round figures, there are about 800 beds that are currently provided in this province and we note with interest that since this government came to office, we have only experienced an expansion of one new shelter in each year. That is all the expansion we have experienced.

I would like to ask the minister or to bring to his attention that when he says he would like to address the issue, he has done nothing about it since the minister's estimates book clearly indicates that again, for this coming year, he is only anticipating one additional shelter. When we have 80 beds with 8,000 women being turned away, his government is indicating that it may only come up with eight more beds. My question simply is—

The Speaker: I thought you had asked it.

Mr Jackson: —when is the minister going to provide greater accessibility to the women in this province who are trapped in a domestic violence situation and do not have access to these beds?

Hon Mr Beer: I think over the last number of years we have made a significant impact upon the situation of beds and we have over 1,250 beds in the system, but we have also recognized that in the development of this system there have been other problems related to this in the area of counselling and in terms of stabilizing those who are working in those systems so that they will have adequate salaries and support. That is our thrust at the moment.

We have said to the federal government in terms of the program that it put forward that we would like to see a mixed approach in terms of some funding available for beds as well as funding available for counselling. That is the direction we are taking. We are working with them in terms of some of the funding that they were talking about.

I think the honourable member should be aware that the bed situation is an important one, but it is not the only part of the approaches that are needed to try get at the bottom of the problems that relate to those who are in difficulty because of family assault. We have been putting a great deal of stress on those areas as well and we will continue to do that.

1500

PHYSICALLY DISABLED STUDENTS

Mr Owen: I have a question for the Minister of Colleges and Universities. More and more of the physically challenged, I understand, are attending our colleges and universities, and this is good, but they advise me that they and their families still have extra costs involved because of their particular disabilities and that they do not have the same opportunities often of raising money in summer and other jobs to address the expenditures that they must face.

Since the OSAP does not give any special consideration to these particular problems, I

wonder if the minister could advise if he and his ministry would be a position to look into addressing these particular problems of financing and OSAP.

Hon Mr Conway: Mr Speaker, through you to my colleague the member for Simcoe Centre, I would like to say that we do recognize the special needs of students with disabilities. In 1987, the Ontario student assistance program was adjusted to take into account a number of those special factors and I would be happy to share the particulars of those changes with my colleague.

I can tell the member as well that at the present time officials from both the ministries of Colleges and Universities and Community and Social Services are looking at additional requirements that we may want to meet because we do recognize that these are very important people with special needs that we want to accommodate to the very greatest extent possible.

Mr Owen: I wonder if I could look at the same question but from the other end, after they have graduated and again are facing the same problem. They advise me that sometimes they do not have the same opportunities of earning the same moneys from their jobs afterwards, yet they still must look to repaying the OSAP loan. Since the minister is looking at it beforehand, could he advise whether he would be in a position to look at it after the fact?

Interjection.

Hon Mr Conway: I can tell my honourable friend and my good friend the member for Windsor-Riverside (Mr D. S. Cooke) that the earnings situation was taken into account in 1987 when OSAP was changed to make sure that students with disabilities were not expected to have the same summer or part-time earnings that other students were. I want to thank my friend from Barrie for his interest in this very important area of social policy.

My colleague the Minister of Community and Social Services (Mr Beer) and I are looking at additional changes that we might want to make to provide additional support. I should just conclude by reminding my colleague in the House that in this year's allocations to Colleges and Universities there is something like \$3.5 million worth of special funding for colleges and \$4 million for universities. I think those are roughly the figures to provide for the special needs of the disabled.

SOCIAL ASSISTANCE

Mr Allen: I have a question to the Minister of Community and Social Services. Last week, a

Quebec court made a judgement with respect to the availability of social assistance and the requirements of having a residence, namely, making that null and void in the province of Quebec. The minister's officials, in response to questioning about this, indicated that there was a guideline that had been passed out last May to municipal officials that a homeless person was eligible for assistance regardless of whether he had an address or not and that the old practices that they had indulged in in the past were now passé.

Would the minister then explain why it is that when we called municipal welfare office this morning, eight in number, three of them made it quite plain that they were still requiring an address; two of them were sort of equivocal, still requiring a hostel arrangement of some kind, and only three of them were obviously on track and in tune with the minister's guideline? Why has there not been better enforcement of that particular guideline and how does the minister explain the fact that it is not being followed in the field at this point in time?

Hon Mr Beer: I do not know why that particular situation has arisen because, when this came up last week, I asked for a report on what the situation was here and it was made very clear that we do provide assistance to those who are homeless.

I also saw the memorandum which was not stating the policy but was reiterating the policy that existed. With respect to what that policy is, it is that assistance can be given to those who are homeless, that that has been done and that it is quite right and proper that it be done.

I will certainly look into the specific cases the member raises, but use this as an opportunity to state quite clearly that what we can do in this province is provide assistance to those who are homeless, and that is the way the system should work.

Mr Allen: I can tell the minister that we certainly found a problem in Brockville, Sarnia and Peterborough. We also discovered, in the course of phoning around, that there are still numbers of municipalities which will not pay the last month's rent. In that respect, of course, it puts social assistance recipients into an impossible box, which the minister will be very familiar with.

Also, it is interesting to note that the minister does not even bother in his ministry to collect statistics on the incidence of acceptance or refusal or application for welfare, which might

well be refused in any of the offices by virtue of not having an address.

Is the minister not sending a signal by not requiring information on this point that really it is not all that important to the ministry and that they can get away with avoiding the regulation because the ministry does not collect any information about such an important matter?

Hon Mr Beer: I say to my colleague I believe, in terms of the way we are trying to approach those who are homeless, that we should be guided and directed here by doing what is appropriate and right and that the legislation provides a framework for that.

If there are, as the member has noted, some areas where things are not being done the way we assumed they were, then we are going to have to make sure that people understand what the law means and how that should be applied. If there is some information which would be of help to us in improving those programs, I would agree that we would want to be collecting that as well. I will look into the matters that the honourable member has raised.

TRANSIT SERVICES

Mr Cousens: This question is for the Minister of Transportation. The minister knows that the GO Transit services are imperative; they are essential. They are one of those things this government has to give a great deal of attention to. We spent some time discussing this during the estimates a few weeks ago.

There is a serious problem now surrounding GO service and that has to do with the parking spots for users. Commuters at the GO station in Oakville have been turned away because there are no more parking spaces and they are forced to drive into Toronto. Will the minister commit to expanding parking lot capacity at stations such as Oakville, which is already operating at 110 per cent capacity?

Hon Mr Wrye: The honourable member would want to know that we have been expanding, where it is possible to do so, our parking spaces for the GO Transit system. He would particularly be aware, I am sure, given where his riding is located, that two of the most recent expansions have been at the eastern end of the east-west GO corridor, I believe in Guildwood and I think in Whitby. There are some plans for additional expansions in the western portion of that same corridor which we expect to announce shortly.

Certainly the growth has been quite phenomenal. Our increase in GO ridership is up some 18

per cent on the rail system year to year, and ridership continues to grow. One of the things I think we will have to begin to do and we are doing is to begin to examine whether there are some alternatives to the parking lot systems that are now in place since they will not provide, at the end of the day, a complete, necessary and full response to the challenge that faces us.

Mr Cousens: I asked a question specifically about Oakville because Oakville is having great problems, and so are Burlington, Clarkson, Port Credit, Mimico and Bradford. People want to use public transit, yet they cannot because there are no parking spaces.

People continue to get ticketed every day. If they park illegally, then they get a ticket. So we are discouraging people from using public transit. We happen to have a great problem in this greater Toronto area because of people flooding the roads with their cars. We want to get them off the roads and on to public transit such as the GO system. All I can tell the minister is that people are increasingly frustrated.

I ask the minister a question about GO Transit and then he comes along and starts hopping into other areas. Will the minister immediately authorize expansion of these GO stations that I just mentioned and do something to reduce the congestion in those stations so that the people can use GO Transit and get off the roads? He has got to do something on this. Will he make that commitment now?

1510

Hon Mr Wrye: I think the member's approach is perhaps just a bit shortsighted in that while we are always looking at GO stations where we can expand the parking services—we have expanded services in a number of locations and will be expanding them in more—surely he would agree with me that putting into place ever-expanded parking services is not the only solution we can put together.

We are looking at expansion of the parking services at some of the GO stations in the western portion of the east-west corridor, and I expect we will be making announcements in that regard in the not-too-distant future. But it is not, and I repeat for the honourable member's benefit, the only solution. There is a multitude of solutions, one of which includes, of course, getting the federal government to involve itself in a balanced transportation system in our province.

TELEVISION EXTENSION IN NORTHERN ONTARIO

Mr Miclash: My question is to the Minister of Culture and Communications. Only weeks ago

the minister travelled throughout the north, at which time she heard a great amount about TENO, the television extension in northern Ontario program. She will know a lot of people spoke to her about this service and about the need for the service. As we know, we have a long and cold winter coming to the north, and many people have asked me about the program. I would like the minister at this time to maybe update us on the current status of this most important program.

Hon Ms Hart: I would like to thank the member for Kenora for giving me the opportunity of informing the House about this program, the TENO program, the extension of television services to the north. I will refrain from comment on the length of the winter in the north, but I would like to comment on how positive the results have been for this program.

There have been almost twice the number of applications that were initially anticipated. We have had 344 applications. As the member will appreciate, the application process involves not only my ministry but also the CRTC. To date, 123 of those applications have been approved by both the ministry and the CRTC. The amount of the grants has been in excess of \$4.5 million.

Mr Miclash: As the minister stated, we do have a number of remaining applications for this program. I would ask the minister just to update us on the status of the remaining applications.

Hon Ms Hart: The CRTC will be beginning hearings, I believe it is on 21 November, to deal with the remainder of the applications that are outstanding. The window for the applications is now closed, as the member will know. It was originally a three-year program that was extended for a further year because the need was so great for families in the north to receive more television services, such as La Chaîne française, TVOntario and the legislative service. We anticipate that it should not be too long before the remainder of the applications will be processed and out.

TIMBER MANAGEMENT

Mr Wildman: I have a question of the Minister of Natural Resources. Would the minister explain why her ministry staff turns a blind eye to the wastage of timber cut in the bush? Why does the ministry not deal with the waste already in cutover areas before allowing or licensing the harvesting of new crown areas?

Hon Mrs McLeod: I do not think that the ministry in any way condones waste cutting in

the bush. The cutting plans are very carefully approved and very carefully monitored.

Mr Wildman: If that is the case, perhaps the minister could comment on a story that was in the Sault Ste Marie Star on 3 November, quoting Dave Oliver, a forestry technician for the federal Department of Forestry, who was speaking for himself, not for the federal government. He had 150 slides as evidence of blatant misuse of the forest. There was an appalling amount of timber left in the bush; harvesting practices are appalling. It is a crime there is such a huge demand for timber when they are not cleaning up what has already been harvested.

Why is the Ministry of Natural Resources allowing the kind of situation where we have got so much timber cut and left in the bush, rather than administering the program well to ensure that all timber cut is utilized?

Hon Mrs McLeod: I think I would agree with the honourable member that it is extremely important that we manage those forests as well as possible and that we ensure there is not undue waste in the cutting practices. Since coming into the ministry, I have become aware of one or two situations in which people have provided some evidence that cut timber was left in the bush and not taken out of the bush at a timely point. The explanations for those have been given quite clearly. If there are very specific situations, obviously those have to be investigated.

LICENCE PLATE RENEWALS

Mr Wiseman: I would like to direct my question to the Minister of Transportation, and I thank him for staying. I have a copy of a letter to him from a man in Mississauga who has a very interesting hobby of checking licence plates to see how many expired stickers he can find. This gentleman tells me that in the last five years he has found some 1,600 and many of those dated back five years.

As the cost of licences in the greater Toronto area is about \$90 apiece, this represents quite a loss in revenue. If more people in the province picked up the hobby that this gentleman has, perhaps we could keep the licence plates at the old level.

I would like to ask the minister what mechanisms his ministry has in place to stop this abuse, and has he consulted with other ministers, such as the Solicitor General (Mr Offer), to ensure that everyone renews his or her licence plates each year?

Hon Mr Wrye: I must say that I have from time to time, and I am sure the honourable

member has on very rare occasions, seen stickers which have expired, and obviously, if those who are in the enforcement business see those stickers having expired, some kind of additional penalty over and above the \$90 can result. We do not believe it to be a widespread problem, though we are obviously interested in the suggestion of the honourable member.

I am sure he would want, through his question, to remind those who are watching and those who look at this Hansard, that it is important at the appropriate time to renew one's licence sticker. We are looking at ways of making that renewal perhaps a little more efficient than it has been in the past.

Mr Wiseman: It seems odd to me that somebody could drive in this province for five years without renewing his licence sticker, but I would like to ask a supplementary.

If so many people are driving with expired stickers—as this gentleman has written to the minister, with a copy to me, saying he had seen 1,600, some of them over five years old—I wonder if some of those same people are driving without insurance. Does the minister have any idea how many fall into this category, and what is his ministry planning to do to protect us from these people?

Hon Mr Wrye: I cannot give the member an exact answer other than that I can say to him that I think, without having seen the letter which I have not had a personal chance to see, that this gentleman's hobby is obviously one in which he has looked at a very, very large number of cars over a period of time.

Just as there will be those who will not have renewed their licences—and we are not even sure if that will have happened because in some cases the renewal sticker simply may have fallen off—there will be, on occasion, individuals who will attempt to drive in this province without the required insurance. Clearly those individuals are risking serious actions by authorities should they, for one reason or another, come to the attention of those authorities.

However, I think the vast majority of the people of this province are good, law-abiding individuals who understand their obligations to renew their licences at the appropriate time and indeed to maintain an appropriate level of insurance.

1520

DRUG ABUSE

The Speaker: New question, the member for Ottawa East.

[Applause]

Mr Grandmaitre: Wait until they get an answer, Mr Speaker; they will be standing.

My question is to the minister responsible for the provincial anti-drug strategy. Canadians are increasingly aware of and concerned about the activities of the so-called drug lords, not only in Colombia and in the United States but in Canada and particularly in Ontario. I read a most revealing article in Maclean's magazine entitled "Criminals Are Using Canada to Launder Billions of Dollars in Drug Profit."

I know the federal government has enacted Bill C-61 to curtail some of the activities of these drug lords. My question is, how effective is Bill C-61 as far as Ontario is concerned?

Hon Mr Black: The member is aware of the fact that Bill C-61 was passed by the federal government approximately one year ago. There have been some prosecutions under that legislation and some convictions, I believe. It is probably premature at this point to comment on how effective that legislation will be. What I can tell him is that there have been discussions with a number of people regarding the effectiveness of the legislation and about possible revisions which might be entered into to make it more effective.

Mr Grandmaitre: My understanding of Bill C-61 is that any moneys confiscated from individuals or groups will be returned to the federal Treasury. Is there a possibility of returning some of those dollars to the communities where they were confiscated or to the provincial Treasury so it can be distributed to needed programs combating illegal drugs?

Hon Mr Black: Under the terms of the legislation as it is presently written, all profits of crime which are seized by government or by police agencies must be returned to the federal government. However, I can tell my colleague that there have been some discussions, both by the Attorney General (Mr Scott) and by myself, with the Minister of Justice, the Honourable Doug Lewis, to ask if he might consider amendments to that legislation which would allow moneys to be returned, first of all to the province and second to communities, so that the profits of crime, and particularly illegal drug activity, might be used in the prevention fight against those activities.

AUTOMOBILE INSURANCE

Mr Kormos: I have a question of the Minister of Financial Institutions. I want to talk about his so-called no-fault benefits—there is a lot of fault

one can find with them, but he calls them no-fault benefits—especially the so-called long-term care benefits.

Much ado has been made about the new plan level of \$500,000, but when you look at subsection 8(3) of the proposed regulations you see that persons who would otherwise be entitled to long-term care, people who are injured seriously in a car accident, cannot receive any more than a maximum of \$1,500 a month for this long-term care. That comes out to around \$50 a day.

What that is going to do is force these persons into institutions, which at a rate of \$50 a day are going to be operating at the most minimal and demeaning levels. The stated policy of this government is to support community living for disabled persons, yet the government's new insurance plan—the one the auto insurance companies wrote—forces these disabled people into institutions. How can the minister possibly justify that?

Hon Mr Elston: Along the lines the honourable gentleman approached a question last week, his information is not fully complete. For instance, he raised the issue of Mr Heaslip last week, and we were told by him then that this man was going into the institution called Facility. Of course, Mr Heaslip is not in the Facility at all; in fact, he is insured with Allstate. He has been the recipient of a couple of speeding tickets. He has had a couple of at-fault accidents, a couple of joint-fault accidents and a couple of other accidents which were not his fault. He was placed in the Facility Association, the member for Welland-Thorold claimed. He made that claim without fully appreciating all the facts. I think the honourable gentleman probably is about as accurate in these circumstances as he was with Mr Heaslip's case.

I can tell the honourable gentleman that we are putting forward a plan that fairly and in a balanced way compensates people who require long-term care. That is in the bill, and he knows it. I am quite happy to take this to committee right away. We can have a very good and brief discussion on second reading in principle and then get into the committee so we can examine all of these particular pieces under the act. I am open to listening to the member for Welland-Thorold, and I am up to substantiating all the factual materials which he provides for us and then to provide the factual circumstances as we find them so that people can be fully informed about this, as I have just done with respect to Mr Heaslip.

The Speaker: That completes the allotted time for oral questions and responses.

NOTICE OF DISSATISFACTION

Mr Kormos: Mr Speaker, I rise pursuant to the standing orders—

The Speaker: What is your point of order? Is it a point of order?

Mr Kormos: Pursuant to the standing orders, the response or the lack of response by the minister—the gutless, pathetic lack of response by the minister—

The Speaker: Order. What standing order are you rising on?

Mr Kormos: The proverbial late show, Mr Speaker. I have done it before; I wish to do it again, please.

The Speaker: I am sure you will take the regular procedure.

MOTION

OPPOSITION DAY

Mr Ward moved that notwithstanding standing order 41, the notice of an opposition day in today's Orders and Notices in the name of Mrs Marland be debated on Monday 20 November 1989 and that notwithstanding standing order 4(k), a second opposition day may be designated during the week of 19 November 1989.

Motion agreed to.

PETITION

FRENCH-LANGUAGE SERVICES

Mr Owen: I have a petition signed by 42 constituents of my riding objecting to the passing of the French-Languages Services Act and it is submitted this date with my signature.

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1989

Mr Elston moved second reading of Bill 68, An Act to amend certain Acts respecting Insurance.

The Speaker: Does the minister have any opening comments?

Hon Mr Elston: I do, Mr Speaker. My comments will be brief. After some two and a half years of studies and reviewing the material, which has been widely distributed to the public, I am keen now to get into the committee stage of examination of this particular bill, but I want to

have just a couple of moments to provide a review of what this bill is.

This bill is basically the package which reforms the insurance product. Let there be no mistake about that for anybody. The bill itself speaks to insurance and how people will be covered when they are injured, how they will be able to have access to the courts in the cases where there is serious injury and permanent injury to those people in Ontario. But I want the people to be doubly assured that we, as a government, have not stopped there; we have gone much further than that and, in fact, we have taken the advice of a number of people who have come forward to us over the years to provide us with advice about how we should deal with auto insurance costs, auto accidents and other things.

1530

We have a comprehensive program. The program talks about safety that is required on the roads. It has talked to us about enforcement, it has talked to us about not being soft on bad drivers, and we have accepted all of that advice.

We have a program which is implementing highway traffic controls, we have a new sophisticated system which is being tested on a pilot project basis by the Ministry of Transportation in the province of Ontario and we have various types of computers and other machines which help us to ensure that we can manage congested highways the best way possible to ensure that there is a smooth, continuous and uninterrupted, as far as possible, movement of traffic in safety.

In addition to that, we have increased our surveillance so that we can catch the bad drivers, the speeders, the careless drivers, the dangerous drivers, and yes, the drunk drivers. We want to catch all of those people, and when we catch them, as is our way in this government, we will prosecute them in the most thorough fashion possible to ensure that they do not get away. When they are convicted, there will be higher fines. There will be a requirement that in fact a bad driver pays more under our system. Let there be no mistake about that. In addition to that, the impaired driver who is a repeat offender will be required to complete rehabilitation and other programs in a manner satisfactory before he or she can retrieve their privileges to drive on the roads of the province of Ontario.

This system does not treat bad drivers kindly. It requires people in the province to be good drivers and it requires the drivers of the province to be sensible drivers. It requires people to make sure that they do things that are safe and reasonable, like wearing seatbelts.

I was interested not long ago when visiting the city of Kitchener to find out that in the month of October, that regional police force discovered 1,078 people who had not been wearing their seatbelts. In fact, that demonstrates just what sort of results can occur from increased enforcement.

We expected, for instance, when we started the Ontario motorist protection plan, that an increase of about 10 per cent in the number of drivers wearing seatbelts would reduce by as many as 80 or 90 the number of deaths on the province's highways. That is an important figure. With increased enforcement already under way in this province, we have taken a major step forward.

In addition to that, we know this program requires us to educate people better. We have heard in the newspapers and in the announcements by the minister responsible for transportation in the province that there is thought around the issue of a graduated licence, to allow people to learn to drive, to earn experience more safely. We have heard that there are other safety initiatives which are being tried as well, driving safety in the workplace programs. Also the use of daytime running lights by everybody in the province would be quite helpful as we deal with major volumes of traffic. All of that is part of the plan.

Bill 68 deals with the issues of how we manage the circumstance after the accident happens. We believe that we can reduce accidents first and foremost and that the people of the province will be better placed if we reduce those accidents, but under the circumstances, where there are the unfortunate incidents of accidents resulting in injury, then we have put forward a very balanced, rational and reasonable system. Any right-thinking person, any rational person, would be welcoming this system in a way that would commend them to the common-sense proof in the province of Ontario.

These people understand that what is required for the injured in the province is a very quick intervention, with assistance to sustain people while they are being rehabilitated as a result of an accident. That is why our system has brought in the no-fault benefits, almost tripling in value over what was previously there; \$450 per week; \$500,000 supplementary rehabilitation and medical; \$500,000 long-term care.

In addition to that, it will retain the access to the courts for those people who are seriously and permanently injured so we can retain the courts for those circumstances where there has to be special consideration. Why are we doing this?

We are doing it for a couple of reasons. One, we want to be sure that the people in the province have a product which is balanced and affordable and which comes into play quickly, which is why we are requiring the no-fault benefits to be delivered by the insurers between 10 and 30 days after the claim is made; very fast intervention, with money to sustain people while they are in their most critical need, in the early days of their accident recuperation.

That is why we have decided that we need a system which puts more dollars in the pockets of the injured person. We not only require quick intervention, but we require intervention which allows the redistribution of the premium dollar so more of the premium dollar goes to the individual who needs it most, the injured person.

There will be people today in this House who like to oppose just about anything the government does, who will be siding with people who are not accident victims to ensure that they retain a hold on the premium dollar firmly clenched in a fist that seeks after the money which should go to the accident victims. There will be those people, and they will speak at length, but do not be fooled, Mr Speaker. What our system does is to ensure a redistribution of the premium dollar so we can give to those people who are injured, the money, the resources which they require to be rehabilitated in a way that puts them back in their homes as quickly as possible, back with their loved ones as quickly as possible, back in the workplace as quickly as possible, making sure that we have a compassionate and balanced approach to ensuring those people are rehabilitated as quickly and as thoroughly as is possible.

That is what this argument is about. The argument is about this policy being a very sound social safety net, to sustain the people who are hard done by as a result of an accident. A mere moment of inattention can cause very serious problems. In situations where that is a permanent problem caused for the accident victim, he can pursue his claim in the courts of this province and he can pursue it aggressively so that the judges of this province can, on an individual-by-individual basis, assess the amounts of money that are required.

This bill has come about as a result of a lot of study. Members will hear people talking a little bit later on about the Slater report, about Osborne, about the Ontario Automobile Insurance Board report and about some of their own thoughts on this. All of that is helpful because this government has, with open arms, received the advice of all kinds of people over the last two

and a half years to put together as balanced and as rational a program as is practically possible and is humanly possible.

The fact of the matter is, we have listened to litigation lawyers, to politicians from Leeds-Grenville, to politicians from Welland-Thorold even before the current sitting member was in his place. We have listened to accident victims, we have listened to people who represent anti-drunk driving organizations. We have listened to insurers, we have listened to brokers, we have listened to adjustors, we have listened to consumers, we have listened to seniors. And we are still listening.

I will listen to a politician from Welland-Thorold, and I will listen to a politician from Leeds-Grenville, and I will listen, but the work of the moment is that which should be done in front of the committee, and I ask for them quickly to debate, in principle, the second reading of the bill and move it into committee so that we can address their problems in a forum which is much more thorough, which is much more intimate, and which allows the exchange of accurate assessment section by section of the bill as it is put.

1540

What does this bill have? This bill has those triple benefits under no-fault scheme. This bill has quick access to those benefits. This bill has increased coverage so that students for the first time, so that seniors for the first time, and so that the unemployed for the first time can take advantage of no-fault insurance benefits that were not available before.

We have increased the coverage so the unpaid homemaker who previously had to have a total disability is able to receive more than \$70 a week for 12 weeks so that homemaker can receive \$185 a week, and so that a homemaker can receive benefits to assist in child care costs. And, yes, there will be people who say, "It's not enough," but those people always say, "It's not enough." As the people of province weigh the words which come floating back in opposition, they will want to understand that it is the same old song played in a different forum by the same old voices: "It's not enough. It's not enough. It's not enough."

This is a balanced program. It is not a program isolated only to insurance product reform; but the insurance product reform itself is important because for the first it ensures that a very tough regulatory regime can stand in and assist the consumers in a way which they have never been constructively assisted before in dealing with insurance companies, in dealing with insurance product and in dealing with insurance problems.

That is why this bill is needed. That is why we are processing this through and hoping that we can have a quick second-reading debate so we can come to the committee, so we can establish the points for debate and so we can hear from interested people in a way which will assist us in broadening the coverage in a way that this bill contemplates.

Are we successful? The right-thinking, rational individual who assesses this on an overall view, devoid of interest in political haymaking, would say that in fact this is a balanced approach, that this is a good approach, that this is a sound approach to assist people over the calamity of an automobile insurance accident. What is more, they would say there is in this overall Ontario motorist protection plan more merit than they would speak about publicly because I will tell members there is merit in this plan in a way which even people who have been brought forward to press conferences have indicated in public.

There was a press conference just this morning where the people said, "There are good parts to this program. There are programs in here for which we have been asking for years, and this government has heard us," and those people have endorsed those parts.

I will tell members that when they view this product as a whole, providing an affordable and balanced product so people can afford to have insurance and afford to be protected against the calamity of accident, they would endorse this, as I know they do, in a way which is wholehearted and without reservation.

This program is as perfect as is practically possible.

Mr Pouliot: Maximum \$22,000 a year.

Hon Mr Elston: There are some people who, as we hear even now, barrack from the back benches of an opposition that wants to nationalize everything from insurance companies to mining companies to everything.

Mr Pouliot: That's not what we said. Come on.

Hon Mr Elston: They wish to nationalize so that they can escape the real need for decision-making in a way which has been their mandate since almost days unrecallable.

I will tell members that I am here to listen, that I will listen to the barracking in favour of the interests of people who would want to keep premium dollars from going to the injured so they could retain those premium dollars for third-party intermediaries, so that they could keep

those dollars for somebody other than the injured person.

That is not my mandate. My mandate and the mandate of the government under the leadership of the Premier (Mr Peterson) is to help the people who need the assistance to redistribute the premium dollars to the injured victim, to ensure that those people who, before they get into accidents, have the ability to afford and the availability of product from which to choose a product which meets their personal needs and indeed to craft, as any consumer would, a purchase which ensures that they will be sustained in their darkest hour of need.

That is what this product does. This product is balanced. It is affordable. This product is available. This product provides compassionate, quick service to the people who need it.

What more do we need to endorse it? We need second reading. We need second reading so we can hear on principle what the complaints are. What are the complaints? The complaints will be, "You should have more." The complaints will be, "You have taken money from somebody and given it to the injured victim." The complaints will be, "You haven't heard enough information yet."

We have heard information. We have taken the information for the past two and a half years and opened our arms to anybody who wished to speak to us. We have read the reports. We have digested the reports and we have used the material in the reports to put together for the first time, the most comprehensive plan that has ever been announced at one time with respect to automobile insurance.

Why? Because that was what was recommended, that insurance product alone is not enough. A reduction of accidents is critical and we have seen it and we have taken the steps to work towards reducing the accidents in the first place. We need second reading. I am sure that the interventions by the member for Welland-Thorold (Mr Kormos), prompted as he is by the member for Lake Nipigon (Mr Pouliot), would be brief. I am sure that the intervention by the member for Leeds-Grenville (Mr Runciman) will likewise be brief, although I am sure he is going to be prompted by the member for Wellington (Mr J. M. Johnson), who is always able to provide us with his insight from the great riding of Wellington, Mount Forest and environs. He, I must say, above all, is almost always present and I thank him for being here today to listen to the balanced approach to insurance which we have in front of us.

We need to get into committee. I want to get into committee. I want to provide the people of this province with the assurance that there is in front of us that which is sensible, that which is balanced. I want to be in front of the committee so that we can hear the objections that are always at hand from, certainly, the opposition whose prime role is to say no to everything. I want to be able to make the changes that are necessary to make it even more perfect. I want to be able to process this so that the people of the province will have a new system in place in early 1990.

We need to be in committee. I would ask the members to speak quickly and bring their points forward so we can examine them in a forum which is much better than this to examine their concerns, that is, the legislative committee to which we will be taking this bill.

I want to thank you, Mr Speaker, for allowing me just a brief intervention and I know that now, since my remarks have let the member for Welland-Thorold and the member for Leeds-Grenville reassess what their remarks would have been, they will assist us in moving quickly to the legislative committee so we do not hold up the premium savings which are part of this overall program.

There should be no increase at all in rural Ontario; on average, eight per cent in urban areas in Ontario. What more can you ask? We could ask for a quick second reading so we can go to committee and I charge my honourable critics with the responsibility.

Mr Kormos: The observation of the Minister of Financial Institutions that his comments might prompt me to say something other than what I had planned to say, in that respect and in that respect only, he is right, because I reflected on his background. I realized that if he were old enough to have been working in 1959, he would be working as a salesman at a Ford dealership touting Edsels. There are simply no two ways about it, because what we have here is the Edsel of an insurance plan.

I reflected further that his mother undoubtedly loves him. I am told that indeed the Minister of Financial Institutions, the member for Bruce, when he was smaller, was a boy scout, and that during a small-town parade, which they are wont to have in the riding of Bruce, his mother, along with the rest of the people of the community, was watching the boy scout troop march down the street. There was the Minister of Financial Institutions, so prominent with his gait contradicting all of the others. His mother nudged the

person beside her and said, "Look, they are all out of step except for my son."

1550

It is pathetic, I guess, to sit here and look at the minister so frantically trying to sell a bill of goods to the people of Ontario; not only trying to sell a bill of goods but trying to do it as fast as is possible. The minister was candid in that regard. The minister said, "Let's get this thing pushed through as quickly as we possibly can."

One of the aspects of the recognized need for urgency on the part of the government is that, on a daily basis, more and more people are realizing how pathetic this legislation is.

We are going to talk about some of the background, because background has to be talked about. What precedes this little package of insurance-company-drafted amendments warrants some comment.

The minister cannot ensure that premium rates are going to be reduced in this province. He cannot do that and he has not done that. Indeed, the minister's own board, the Ontario Automobile Insurance Board, tells us that insurance premiums are going to continue to climb. They had some real concerns about this, but let's stop talking about a no-fault scheme.

Let's talk about a threshold system, because, really, that is what this little package of goodies from the minister and the insurance industry is all about. Let's talk exactly, because the minister cannot tell us that this is going to reduce auto insurance premiums. Indeed, auto insurance premiums, expensive as they have ever been, are going to continue to rise and force more and more drivers off the road; indeed, force more and more drivers, sadly, into taking the frightening risk, for themselves and for others using the highways, of driving without insurance.

In the past several weeks and months we have talked about how this legislation was going to ensure, not lower premiums, not that everybody who drives would have insurance available to him, but that some 90 per cent to 95 per cent of innocent, injured accident victims in the province were going to get nothing—not a penny, zero, not a cent, not a nickel, not a dime—for their pain and suffering.

Just recently we found out that in the state of Michigan, where the threshold is less onerous than the one being proposed by the auto insurance industry here, that threshold, a more relaxed one, had the effect of denying 94 per cent of accident victims any compensation for their pain and suffering. If that was the case in Michigan, we know that indeed it is more likely

that we are talking about 97 per cent, 98 per cent, maybe 99 per cent of all innocent, injured accident victims that are going to be denied any compensation. They are not going to receive a nickel—not a dime, not a penny, nothing—for their pain and suffering.

That is what this legislation is going to ensure. It is going to guarantee, it is going to make that a promise—not a penny, not a nickel, not a dime for the pain and suffering, for the loss of enjoyment of life for well over 95 per cent of all innocent, injured accident victims.

What else is this going to guarantee? It is going to guarantee this: This legislation constitutes an attack on so many people and on so many classes and groups of people in the province that, quite frankly, and I know Mr Speaker will agree with me, the legislation is not just pathetic but it is, oh, so immoral.

This legislation is a real attack by the Liberal government on small business people, on self-employed people and entrepreneurs, a class of persons in all of our communities we recognize as making such a valuable and significant contribution to the economies of our respective communities; a class of people who indeed we value and we recognize for their contribution to our society as a whole, small business people or small entrepreneurs.

What this legislation that the insurance companies wrote and that the Liberals are trying to foist on to us is going to guarantee is that if you are self-employed, you are not going to recover a penny for loss of profit and losses associated with disruption of business when you are forced out of your business because of the injuries you suffer as an innocent, injured accident victim. Indeed, because of that, because of this insurance companies legislation, small entrepreneurs and small business people all over Ontario are going to be losing their businesses and recovering not a penny, not a cent, not a nickel, not a dime, nothing, as innocent, injured accident victims.

This legislation is not only an attack on small business people, entrepreneurs, people so valuable to our province and in our communities; it is an attack on working people across Ontario, because what this legislation drafted, prepared and put forward at—dare I say the “request”?—no, the instruction or command of the insurance industry is going to ensure and guarantee is that if you are an employee and you work for a wage or salary, you will be unable to recover your full loss of wages.

It is going to guarantee that many, many accident victims who suffer—and these are the

ones who suffer serious injuries—will, notwithstanding that, be unable to recover for many of those serious physical injuries. I am talking about broken bones, scarring, torn muscles and the pain and suffering that accompanies these and other types of injuries. That is what this legislation guarantees.

This legislation, drafted by the insurance companies, presented at the command of the insurance companies by the Liberals here at Queen's Park, is going to guarantee that you will recover not a nickel, not a cent, not a dime for any emotional or psychological injuries such as depression, shock or anxiety.

It is going to guarantee that no matter what you earn, no matter how much you earn in the shop, in the factory, in the workplace, the very most that you can recover is \$450 a week and that many—indeed I tell members most—innocent, injured accident victims are going to receive a lot less.

What it is going to guarantee is that more and more people will not be getting regular insurance coverage in the province. Indeed that information came from a most interesting source. It came from Don McKay, general manager of Facility Association. As a lot of us have learned, Facility Association is the high-risk insurer; traditionally, the insurer of last resort.

It has undergone some remarkable growth in the recent past. Indeed, in the last year, 1988-89, it has more than doubled in terms of the number of drivers in Ontario who are forced to the Facility, where the rates are two, three and four times what they are in the regular market, guaranteed to be literally measured not in the hundreds of dollars but in the thousands of dollars.

The new people being forced into Facility Association—and I know members understand this—the hundreds of thousands of people being forced into Facility Association, with these premium rates in the, not hundreds of dollars but literally thousands of dollars, are sadly not just the high-risk and poorer drivers but people from all walks of life, people of all ages, people of both genders, people from all parts of Ontario who have been denied insurance coverage by their regular insurer and are hence forced into this incredibly expensive Facility Association.

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As I say, this new legislation from the government is going to guarantee that more and more people are forced into Facility. I spoke of what Don McKay, the general manager of Facility Association, had to say. This is what he

had to say: that as far as they are able to determine, "If the no-fault proposal as presently drafted"—that is the one we are talking about right here, now, in second reading—"ever becomes law"—and I appreciate that there is a tone almost of despair on the part of Mr McKay when he writes that, when he says that if it ever does become law—and there is almost a plea, a wishful thinking, perhaps fecklessness but none the less optimism on his part hoping that it will not. But indeed, he indicates that if this legislation that the Liberals are putting before the Legislature now ever becomes law, "there will be little or no change in the class or volume of business directed to Facility Association."

He goes on to write, "The increase in no-fault benefits will create a new class of borderline risks, and if the legislation proceeds as it is presently drafted, it is highly likely that underwriters will use 'avoidance tactics.'" He has "avoidance tactics" here in quotation marks. That is nice language, a little bit of newspeak, some neologisms, if you will. Avoidance tactics: that means they are not going to cover, they are not going to provide insurance coverage for those people.

What people are we talking about that the underwriters, the insurers will use the avoidance tactics with? Mr McKay, general manager of Facility Association, writes that underwriters will use avoidance tactics on such classes as seasonal workers, small self-employed contractors—once again, entrepreneurs, small business people in the cities, towns, villages, all across Ontario—unskilled labourers, workers in the hospitality sector and a host of other similar occupations.

Mr McKay, incredibly, but it is an incredible revelation and indeed so realistic, writes that occupational underwriting will be the watchword and Facility Association will be the recipient of those who do not meet the underwriters' guidelines. Occupational underwriting—surely that warrants some reflection. What does that mean, occupational underwriting? It means exactly what he says it means. It means that certain classes of workers—seasonal workers, unskilled labourers, workers in the hospitality sector, self-employed contractors and, he writes, a host of other similar occupations—these people are going to be the subjects of avoidance tactics.

That means that they are not going to be insured by regular insurers; that these people are going to be passed on to Facility Association; that they are going to swell the ranks of Facility Association as they have never been before; that

they are going to be paying extraordinary insurance premiums.

There is an explanation for that, just as there is an explanation for why it is that if you are self-employed, if you are an entrepreneur, a small business person, you will be unable to recover the loss of profit and losses associated with disruption of business when you are unable to attend to your business because of the injuries you suffer as an innocent accident victim.

Let me illustrate how that could possibly happen, because one finds that prospect so repugnant that it is hard to imagine any government in 1989 presenting legislation that would have that effect. But this is how this insurance companies legislation—and there is no doubt about the fact that they drafted it; no doubt whatsoever. We will get into that later on this afternoon.

But this is what is going to happen, and let's use an example. Let's talk about a 40-year-old self-employed business person who, after expenses, earns \$50,000 a year and then suffers breaks to both his legs when he is struck by another vehicle which fails to stop at a stop sign. As a result of the two broken legs, as a result of that injury, this business person suffers, and as an innocent accident victim, he is unable to work in his business for one and a half years. This is not outlandish. This is not far-fetched. This example, quite frankly, would probably hit close to home for a whole lot of people listening right this afternoon. As a result, this business person goes bankrupt. His business not only goes bankrupt after he is disabled for one and a half years, but it is projected that it will take him five years to re-establish the business—that is not unrealistic either—so that he can begin to earn the \$50,000 a year again.

Disabled for a year and a half, you do not earn your income for that year and a half, right? Your income was \$50,000 and you go bankrupt as a result. There is a double indignity: one, you are denied the income that you have worked so hard to build up, \$50,000 a year, for a year and a half; two, in the process of your being unable to attend to your business, the business goes bankrupt and it is going to be five more years—you will have to go through the startup process all over again—before you get back to that point where you can earn that \$50,000 your hard work had resulted in.

The pain and suffering of two broken legs for a 40-year-old person, for anybody, is not an insignificant amount of pain and suffering. At the very least, there is the loss of mobility. Would fairminded people think that a person who suffers

pain and suffering as an innocent accident victim should be compensated for the pain and suffering and the loss of enjoyment of life? Of course. Would a fairminded person expect that an innocent accident victim should be compensated for the loss of income that flowed from the injuries and the accident? Of course.

And here we have loss of income over a year and a half of \$50,000 for the first year and \$25,000 for the half-year following, a \$75,000 income loss by virtue of being an innocent victim. We understand that the business went bankrupt and it is going to take five years for this business person to get back into a condition where he or she can be making that \$50,000 a year again. So a fairminded person, surely, Mr Speaker—and I know you feel this way, as a fairminded person—would recognize that the innocent, injured, accident victim should receive compensation for his losses over the subsequent five years, losses that would total around \$100,000.

What does the insurance industry, and the new legislation, say about this innocent victim, the 40-year-old small business person? He or she has worked, and undoubtedly worked hard, to develop a business that earns him or her an income of some \$50,000 a year. What does the insurance industry in Ontario say about that person, and what does it say along with its cohort the Minister of Financial Institutions? What do they say should be the compensation made available to that person and the damages for pain and suffering? Not a cent. Not a penny. Not a nickel. He has two broken legs and is immobile for one and a half years. For the damages for pain and suffering and the compensation for the loss of enjoyment of life that the 40-year-old business person would be entitled to, if the insurance companies have their way, not a cent, not a nickel, not a dime. Why? It is because his injury is not permanent, and therefore this innocent accident victim has no right to claim pain and suffering.

Let's remember he had been earning \$50,000 a year and was immobilized for a year and a half. He lost an income of \$75,000 as a result of being the victim of a careless driver, a negligent driver, a drunk driver, a reckless driver or what have you. His lost income is \$75,000. Would fair-minded people expect that the income should be restored to him? He was the innocent victim. Of course.

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As a result of having both of his legs injured by, as I say, a drunk, reckless, careless,

negligent driver, he has lost income of \$75,000. What do the insurance companies in Ontario think he should receive by way of compensation for that lost income, \$75,000? No way. Because the legislation that the insurance industry wrote and that it is presenting to the Legislature today has a cap, has a max, has a ceiling on the amount of income replacement that anybody can be entitled to, and that is \$450 a week. That comes to \$35,100 in a year and a half. Two broken legs, an innocent victim is out \$75,000 and the insurance industry says he should get \$35,100 for a year and a half.

Let me tell you what that \$450 a week—and that is the maximum, Mr Speaker—let me tell you what that means. That means an income that for a family of four here in the city of Toronto is below the poverty level, and that is the maximum.

Mr Pouliot: Below the poverty level?

Mr Kormos: Below the poverty level. My goodness, what fairminded person would impose poverty on children and spouses of people who are the innocent accident victims of drunk, careless, reckless, negligent drivers?

Take a 40-year-old business person who worked so hard to generate his business and earn a good income, the one for whom it takes five years after recovery to develop that business, because it went bankrupt, back to where it was so that he can once again earn \$50,000 a year, but who loses \$100,00 of income in the course of those five years. What do the auto insurance companies in Ontario think he should get, as an innocent victim, in compensation for that future income loss? I will tell you, Mr Speaker. You know the answer, but I will tell you. Zero, not a penny, not a nickel, not a dime, not a cent, nothing.

This scheme drafted up in the boardrooms of the private corporate auto insurance industry here in Ontario ensures that an injured person is only entitled to get these no-fault benefits until he is physically able to return to work, regardless of whether he has a job to go back to. What a pathetic proposition, to tell the people of Ontario that this type of scheme is going to be imposed on them, a scheme that would ensure that an innocent victim, like this small business person, gets not a penny in compensation for pain and suffering for the two broken legs, not a penny for future income loss when he is out of pocket \$100,000, but a fraction of his real income loss.

Perhaps this is a good time to put this scenario before you, Mr Speaker. What happens here is that you are entitled to 80 per cent of your income up to a maximum of \$450. That means that there

is not a single person, regardless of how little he might make as an income, who is going to get full compensation for his wage or income loss. We know that.

What it means is that even if the drunk or reckless or careless or negligent driver who strikes you and breaks both your legs does so in a Jaguar and has an incredible income, is a wealthy person, even if the chairman of the board of directors of our wealthiest bank were to strike you and break both your legs, you would not be able to go to that person and say: "My income loss was \$38,000 as a result of your injuring me. It was your fault. You were drunk, you were reckless, you were negligent, you were careless."

What this legislation does is protects drunk, careless, reckless, negligent drivers by ensuring that, regardless of how wealthy they are, regardless of their means, they will never have to compensate you for what they have done to you. That is such a sad, sad state of affairs, especially when the maximum that you receive under this insurance company scheme is an amount that, as I told the House, here in the city of Toronto constitutes an income for a family of two parents and two kids, a family of four, that places them below the poverty level.

We are talking about an auto insurance scheme dreamed up and drafted by the private corporate auto insurance industry here in Ontario that is going to force innocent injured accident victims and their children into poverty, and that is so sad.

Let us talk about the fact that under this scheme, written by the auto insurance industry, an injured innocent accident victim will be unable to recover, will not receive a penny, not a nickel, not a dime in compensation for many serious physical injuries, including things like broken bones, scarring, torn muscles, and, yes, the pain and suffering and the loss of enjoyment of life that accompanies these injuries.

What fairminded person could tolerate a regime that would impose that on the people of Ontario? What fairminded person would tolerate a regime that would impose that on the victims of drunk, careless, reckless, negligent drivers? Let me tell the House that is going to happen if the Liberals get this legislation passed.

Here is an example: A 12-year-old kid, just a little person, just a kid, a student, is injured when a truck travelling on Highway 401 goes out of control, crosses the median and collides with a car in which that little kid, that little 12-year-old, is a passenger. This youngster, boy or girl, as a result of that truck crossing the median after

going out of control, has a broken back requiring him or her to be in the hospital for traction for four months.

These are not outlandish examples. These are situations, scenarios, that those of us who are fortunate merely read about, and many of us have either experienced personally or through persons close to us: a broken back, in the hospital in traction for four months, a 12-year-old kid, who then has to spend an additional year at home recovering, a further year.

Of course, a broken back, in traction for four months, that youngster, 12-year-old, an innocent, is a passenger in a motor vehicle that is struck by a truck that goes out of control and crosses over the median, an innocent injured accident victim, a youngster with a broken back, four months of traction in the hospital, missing that school year and then having to stay at home recovering for a further year.

Obviously he is unable to return to school for the four months of traction and, as we know—and, again, nothing at all outlandish about this example—has to spend another year at home recovering. So he misses his second school year. Now that is pain and suffering that none of us would wish upon anybody, pain and suffering that for most of us is unimaginable, incalculable, especially for a little kid for whom the ability to rationalize and be logical about the series of events that have been imposed upon him is perhaps more difficult.

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There is this little youngster, the little 12-year-old with a broken back in traction for four months in the hospital and left at home recuperating inside the house for another year, in pain and suffering that for most of us is unimaginable. What do the assurance companies of Ontario, the private corporate insurance companies of Ontario, want to provide to that person by way of however modest compensation for the incredible, excruciating pain and suffering, a real, genuine interference with the enjoyment of life? What, in this legislation that we are told about by the Minister of Financial Institutions, is going to be provided to that person by way of compensation for pain and suffering? Not a cent. Not a nickel, not a dime, not a penny, nothing.

Not a cent for the unimaginable pain and suffering suffered by a little 12-year-old victim of a careless, reckless, negligent or drunken driver. The youngster could not complete the school year that he was in when his back was smashed by the careening truck, could not go to school the year after that because he had to stay at

home recovering for another year, had two years' delayed entry into the workforce. He will be two years behind in his schooling and two years behind his peers when it comes to earning income out there in the real world.

Surely right-minded people, fairminded people, expect that there should be some compensation to this youngster for the two years' delayed entry into the workforce, the fact that that youngster, when he is an adult of working age, is going to be two years behind his peers. What does the auto industry in Ontario want to provide to that person by way of some modest compensation? Once again not a cent, nothing, zero, not a penny, not a nickel, not a dime. I know that members believe that that is the most unfair regime that could ever be imposed upon anybody.

We can leave the little 12-year-old student. What we are talking about, what we are illustrating here, is this legislation, the stuff that is written up in the boardrooms of the private auto insurance industries here in Ontario. We are going to talk about that. They asked for it, and by goodness, if this government has its way it is going to give it to them, but it is up to fairminded people to stop it.

Let's talk about a 50-year-old housewife who is injured when a vehicle backs into her in a parking lot. She suffers a broken right ankle which requires surgery and is unable to do her housework for one year. A broken ankle for a 50-year-old woman is, once again, undoubtedly a well-beyond uncomfortable, a painful experience. Loss of enjoyment of life is undoubtedly there. Any fairminded person would recognize that in regard to a 50-year-old woman whose ankle is broken when a drunk, negligent, careless, reckless driver, whichever you will, backs into her in a parking lot.

That broken right ankle requires surgery and she is unable to do her housework for a year, but for pain and suffering she gets not a penny, not a cent, not a nickel, not a dime, nothing, zero. For the cost of housekeeping expenses for a period of, let's say one year, the one year that she is not capable of doing that—it is not her fault. The government keeps on talking about this legislation as if it were no-fault. Here is a lady, and it is not her fault. Does she get any compensation for the pain and suffering? No. Does she get the cost of housekeeping expenses? No. She will have to fight for it. Boy, will she have to fight for it. She will have to fight for \$185 a week, total recovery, if she can get it.

The insurance companies in this province have demonstrated that they are real good at charging premiums. They are real good at taking money out of the wallets and pockets of drivers in Ontario. But they are not so good at paying out compensation, are they, Mr Speaker? The private auto corporate insurance industry here in Ontario has the proverbial short arms in deep pockets.

Here is a 50-year-old woman, and it is not her fault. The Minister of Financial Institutions calls this no-fault legislation. Well, it is not her fault and she gets not a penny for pain and suffering. She does not receive any compensation for the expenditure that she has to put out for housekeeping services on a weekly basis for the 52 weeks that she is disabled, and if she fights for it, she might get the \$185 a week. What fairminded person would impose that, would expect the people of Ontario to say that is acceptable? Not you, Mr Speaker. I know that. No fairminded person would expect the people of Ontario to accept that as an acceptable regime.

I spoke a few minutes ago about the fact that you cannot recover, you cannot receive—the insurance companies made sure that this legislation guarantees that you cannot get any compensation. They do not want to have to pay it out, so you cannot get any compensation for emotional or psychological injuries, like depression, shock or anxiety. Anybody who has sadly had any experience with the trauma experienced by victims of motor vehicle accidents knows that these emotional and psychological injuries, depression, shock, anxiety, are very real. But the legislation that this crowd over on the other side wants to impose upon drivers in Ontario guarantees that you will not get a penny for very real pain, very real injuries that are psychological or emotional.

Let me give you an example, Mr Speaker. Once again, this is not an outlandish scenario, one that sadly is repeated regularly here in Ontario and across the driving world, one that I know some of us have had the misfortune and the agony and pain of sharing with loved ones. Let me run this past you, Mr Speaker: a mother crossing an intersection on a green light with her daughter, pedestrians. The little girl is hand in hand with her mother crossing the street on a green light. They are doing everything they are supposed to do, and the government calls this no-fault. These people are not at fault. They are not doing anything wrong.

They are doing exactly what they should be doing, a mother and her little toddler, hand in

hand walking across the street on a green light. A driver runs through the red, striking the daughter, killing her in full view of the mother—not an outlandish scenario, Mr Speaker. The mother goes into nervous shock, suffers severe psychiatric illness in witnessing her own daughter's death, a little toddler. The mother had been working, making \$25,000 a year, but she required three years of psychiatric help before she was able to return to her work.

The pain and suffering of a mother who witnesses her toddler's death, who sees her daughter's body crushed by a speeding vehicle, the tragedy of that is so profound that there are not any of us who could not have all of the sympathy that we could muster for a parent in that situation. A mother whose toddler's life is snuffed out while the child is still hand in hand with her: It is trite—I will say it—but there is the pain and suffering of witnessing her daughter's death and suffering the nervous breakdown. What fair-minded person could suggest that a mother in this position would not suffer some real pain and suffering?

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Under this auto insurance industry's new scheme, does she receive a penny for that pain and suffering? Not a cent, not a nickel, not a dime, not a penny. Lost income: \$25,000 a year because she is not able to work for three years after her daughter's death. I know you know, Mr Speaker, because I know you are a skilled person in your trade, in your craft. I know you are a fair-minded person and I know you would join me in agreeing that no fair-minded person in Ontario would suggest that a mother in these circumstances should not receive compensation for such pain and suffering as she undoubtedly suffers and for the loss of income, a pecuniary loss, an economic loss.

There is no fair-minded person in Ontario who would say she should not be compensated for that, but the private corporate auto insurance industry in Ontario and the Minister of Financial Institutions do not think she should receive any compensation for that pain and suffering. No, not a penny, not a cent, not a nickel, not a dime. Those same people do not think she should receive a penny to compensate her for the significant wage loss she has experienced.

Again, they call this no-fault, but this lady was not at fault. If this is a no-fault system, why do they punish the people who are not at fault, such as this lady, this mother of the toddler? No fair-minded person in Ontario would ever suggest that is right.

Let me run this example past the members. A 37-year-old high school teacher in Ontario earning \$40,000 a year is hit by a drunk driver while crossing at a crosswalk. This high school teacher strikes her head against the pavement, receiving a concussion that leaves her with severe headaches for a period of one year so that she is unable to teach for that year.

She has also accumulated sick days at work totalling 40 weeks. Again, for this teacher accumulating 40 weeks of sick days, that is an investment by her employer and by herself. Now, for damages for pain and suffering under this regime proposed by the Minister of Financial Institutions, not a cent. Wage replacement: She has lost income of \$40,000 and she does not receive a penny for the damages she has suffered, for pain and suffering, for loss of enjoyment of life and for lost income of \$40,000.

Again, they call this a no-fault system. She is not at fault. There is no fault that can be attributed to her. Surely her economic loss should be compensated for, at the very least by virtue of her not being at fault. But what does she receive from the auto insurance industry in Ontario if this legislation gets rammed through? She receives \$40 to \$50 a week for only 12 weeks: \$5,400. The reason she only gets 12 weeks—do not forget she was off work for a year—is that all accumulated sick time has to be used first without any credit before no-faults are paid. In other words, she has to use up the accumulated sick time that she has worked for in her own employment before she can collect compensation from the drunk driver, reckless driver, careless driver, negligent driver who hit her. She is not at fault.

I know the members will agree with me that this is not fair. One last example: I want to talk about a 35-year-old factory worker earning \$800 a week. He suffers a whiplash injury when his vehicle is rear-ended while he is stopped to make a left-hand turn. Once again, they call this no-fault insurance. He is surely not at fault. He is rear-ended. He is doing everything he is supposed to be doing.

His neck injury is such that it prevents him from working for one year because of the heavy lifting and twisting involved in his job. It is a whiplash injury that is so serious he is off work for a year, and what does he get by way of damages for pain and suffering? Under this regime suggested by the government of the day, what does he get for pain and suffering, for loss of enjoyment of life, for the pain concurrent with that whiplash injury so serious that it forces him

to be off work for one year because he cannot lift and carry on as he did before at his \$800-a-week job?

Again, this is not an outlandish example, but one that is entirely reasonable, one that is repeated regularly across Ontario. Damages for pain and suffering: What does the auto insurance industry want to give him by way of compensation for the genuine pain and suffering and loss of enjoyment of life that he experiences? Not a penny, not a cent, not a nickel, not a dime; nothing, not a penny.

His lost income is \$41,600. His income was \$800 a week, but the maximum allowed—no working person can ever receive his real lost income under this regime—is \$450 a week. He has lost income of \$41,600. What is he allowed by way of compensation? He is allowed \$23,400 when he has lost income of \$41,600; it is almost half of what he was earning.

We know that his day-to-day, week-to-week and month-to-month expenses were not reduced by one half. We know that his children did not eat one half of what they ate before he suffered this injury. Again, he was not at fault. We know that their clothing needs and recreational needs were not one half of what they were before he was injured at the hands of a drunken, reckless, careless, negligent driver.

What does the auto insurance industry in Ontario want to provide him by way of compensation? He is not at fault. This is called a no-fault scheme. This factory worker is not at fault. He gets just slightly more than half of what his wage loss is, and he is forbidden, forbidden by law, from seeking the balance of his real wage loss from the perpetrator, from the negligent, drunken, reckless, careless party.

There is not a fair-minded person in the province who finds that an acceptable proposition. I have suggested more than a few times that the auto insurance industry drafted the legislation. The Minister of Financial Institutions says: "No, this is made in Ontario. It is not imported." It was made in Ontario, all right. It was made in the boardrooms on Bay Street and wherever else in Ontario the private corporate auto insurance industry has its little head offices. London is a big seat. Guelph has a few too, I am told. Interesting.

This warrants reference to the Osborne inquiry. Mr Justice Osborne was called upon by the government of Ontario to make some inquiries and reach some conclusions about some problems with the auto insurance industry here in Ontario. Boy, did the government ever know that there were problems, bet your boots.

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It is interesting that the Insurance Bureau of Canada, a lobbyist on behalf of the private corporate auto insurance industry, among others, proposed a threshold that was remarkably similar to the Michigan threshold. Mr Justice Osborne at page 469 of his report writes what that threshold is that the Insurance Bureau of Canada asked for. They proposed a "verbal threshold of '...death, permanent serious impairment of a body function or serious permanent disfigurement.'" The IBC, when it proposed that threshold, said that what that would do was exclude 92 per cent of injured accident victims.

What is fascinating is that the threshold contained in the government's bill is more onerous than the threshold asked for by the Insurance Bureau of Canada. It is more restrictive. As it is, the IBC was, it appears, fudging just a bit when it said 92 per cent because we are told by members of the bar from Michigan that the Michigan threshold has excluded 94 per cent in Michigan.

The IBC, lobbyist for the private corporate auto insurance industry here in Ontario, got more than it asked for. The government presents to us a bit of legislation with a threshold that is more onerous, more restrictive, crueller than what was proposed by the IBC and indeed one that will exclude, because it is more restrictive, because it is more onerous, not 92 per cent, not 94 per cent, but in excess of 94 per cent of accident victims from receiving any compensation for pain and suffering, for loss of enjoyment of life.

It will exclude all those people we spoke of in the last few minutes: the factory worker, the school teacher, the 12-year-old kid, the mother of the toddler whose child is smashed into the asphalt in front of her eyes.

Mr Justice Osborne further, in talking on the IBC threshold—I am looking at page 552 of this report—writes: "It is plain that the IBC threshold"—the one that is less restrictive, less onerous than the one proposed by the government in its legislation—"is designed to keep claimants out of the system for cost reasons, not to let the seriously injured in." It is designed to enhance, improve and increase profits for the insurance industry. It is designed to keep people out, not to let people into the compensation system.

Much has been made—it is good public relations for the government to talk about it—that this is no-fault insurance. What a misnomer. What an incredible misnomer. There are lots of faults with this scheme, let me tell members.

People have been putting them out on a daily basis, people from all walks of life; oh, yes, members of the bar, lawyers. Why not? Lawyers who do personal injury work, personal injury litigation and fight for injured people know better than anybody does the impact injuries have on a victim's daily life, the impact it has on their families and the impact it has on their futures.

I will tell members this: No fair-minded person would want an injured accident victim to have to fare for himself or herself with the insurance industry. It is not just the members of the bar or those who do personal injury work, those who fight for innocent victims of drunk, careless, reckless, negligent drivers. It is people who belong to organizations like PRIDE, People to Reduce Impaired Driving Everywhere, whose goals are to fight impaired driving in Ontario and who indeed have been successful in the past in influencing the government on some government policy and legislation, and it is victims of auto accidents across Ontario and their families, who know the heavy toll imposed upon an injured, innocent accident victim, who are joining along in saying, "This legislation is so horribly bad."

Let's talk for just a minute about no-fault legislation as compared to what the government is proposing, because that is a really important distinction. This is not a no-fault scheme. Come on now. We have had so-called no-fault benefits in Ontario for a long time. They are called schedule C or section B benefits. Since around 1978, they have been at the current figure. They were introduced some half a dozen years prior to that. Since 1978 we have had no-fault benefits. We have had first-party benefits, wage replacement regardless of fault, certain medical expenses and rehabilitative expenses, and indeed death benefits regardless of fault.

There has been this element of no-fault around for a long time. No-fault does not mean no fight, because what people have learned since 1972 is that to get your no-faults, often-times you have to fight and you have to fight a whole lot indeed.

The state of Michigan has a threshold system such as the one the government is trying to impose, here and indeed one that is more liberal than the onerous, right-wing, pro-auto insurance one being imposed by these guys.

Mr Justice Osborne says this about the experience in Michigan. This is page 479 of his report. Mr Justice Osborne writes about Michigan, "There is also a considerable amount of first-party litigation, that is, litigation in which an insured sues his own insurers, usually over the nonpayment of no-fault benefits."

What gives here? What is being addressed? The experience in Michigan—again, it is not endemic, it not unique to Michigan. I have spoken to victims and to lawyers here in Ontario who for the last good chunk of time have had to fight with their own insurers to collect their modest, no-fault benefits.

There is a suggestion that the lawyers of Ontario are basically grinding their own axe. I have a somewhat Shakespearean view of lawyers myself. I am not at all fearful to be critical of lawyers. Far from it. In many respects, I know whereof I speak. But let's not worry about the lawyers. I do not care what scheme gets introduced. Lawyers are like those pigs over in France that they use to sniff out the truffles underneath the surface of the earth. Lawyers are going to find a way to make a living one way or another. Lawyers are going to make handsome livings whether the Minister of Financial Institutions and the auto insurance industry get their oppressive scheme introduced in this province or not. Lawyers are going to find ways to earn good incomes; no two ways about it.

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Let's not feel any sympathy for lawyers. The circumstances quite frankly do not warrant it. If anything, lawyers will find themselves involved in as much litigation under this government's scheme—it is not a scheme; it is a scam. Under this scam, lawyers are going to enjoy as many revenues as they ever had. You know why, Mr Speaker. I do not have to tell you this because you understand the legislation. Just as in Michigan, we are going to find a considerable amount of first-party litigation here in Ontario; that is, litigation in which an insured, a victim, has to sue his own insurers, usually over the nonpayment of no-fault benefits.

The leopard does not change its spots. People have had to fight for their no-fault benefits under the current schedule C, section B scheme. They are going to have to fight for them under the no-fault scheme that the government proposes here.

The minister is right: \$450 is a far more attractive figure than \$140. That \$140 figure is over a decade old. It was not indexed. It should have been. We know that. It should have been indexed so that it grew with inflation over the passage of time; that is, if one is going to be generous. It was a mere oversight on the part of the drafters when they made it \$140, when they increased it from what it had been prior, in 1972. Or maybe it was yet another attack or assault on working people in Ontario.

They have done it again, because the proposed wage replacement, so-called, no-fault figure of \$450 once again is not indexed. It is going to start deteriorating year after year after year and, within a short time, it is going to become as obsolete as \$140 quickly became. It cannot be considered an oversight any more, because these guys know better now, when they have been told it a million times—not a million times, a thousand times—about the \$140 under the old schedule C, section B benefits.

Hon Mr Elston: There he goes, exaggerating again.

Mr Kormos: It was only 900 times.

Hon Mr Elston: We can talk him down.

Mr Kormos: Have they indexed the new figure? No. Is it an oversight this time? No. Is it an attack on working people in this province? Is it an attack on innocent injured accident victims? You bet your boots, Mr Speaker. Pathetic.

Let me go one step further. You are further ahead under the old system, pathetic as it is, of \$140. Why? Because, as it inevitably did, if the \$140 does not constitute your full wage replacement, at least you can go to the drunk driver, the negligent driver, the careless driver, the reckless driver and collect the rest of it to make up your full wage loss. Can you under this regime? No, not a chance. You will not collect a penny to top that up so that it reflects your true, complete wage loss.

What fair-minded person in Ontario would think that is right?

The no-fault is not really no-fault because a no-fault system is one in which all persons receive all of their compensation regardless of fault through one system without recourse to the tort system. What is new about this legislation is not the no-fault, because we have had that for a long time anyway. What is new is the threshold, the threshold that we read about in Mr Justice Osborne's report that is designed not to let people in but to keep people out.

We are talking about a threshold that exceeds the wish list of the Insurance Bureau of Canada. We are talking about a threshold that is more onerous and more rigorous than the one in Michigan, the one that we know excludes 94 per cent and in Ontario will exclude even more than 94 per cent of innocent, injured accident victims.

We are also talking about a threshold system that was treated rather disapprovingly by Mr Kruger and the Ontario Automobile Insurance Board. The Ontario auto insurance board, that multimillion-dollar endeavour, was some make-work project. Wow.

What happened was that back in the spring of 1987—

The Acting Speaker (Mr Cureatz): I apologize to the honourable member for Welland-Thorold. He has not concluded his remarks. However, he has given notice about his dissatisfaction with an answer to a question and, pursuant to our standing orders, such dissatisfaction has to be made known to the assembly before five o'clock. That being the case, pursuant to standing order 33, the member for Welland-Thorold has given notice of his dissatisfaction with the answer to his question given today by the Minister of Financial Institutions (Mr Elston) concerning automobile insurance. This matter will be debated today at 6 pm.

Mr Kormos: What happened was that back in the spring of 1987, during the period of accord, enough cages were rattled over there that even some of the more obtuse members of the government conceded that there was a real crisis out there in the auto insurance world in Ontario. Indeed, in the four and a half years prior to 1987, auto insurance premiums had increased some 65 per cent in Ontario. People across the province recognized that there was a real state of crisis. More and more people were finding their increased premiums thoroughly, literally and completely unaffordable.

It was reaching a point where the people—good drivers—who needed their cars on a daily basis for mobility to get around, senior citizens and people who lived in the rural parts of Ontario, for whom buying groceries was a 20-kilometre or greater trip, were finding themselves having to put their cars up on blocks because they simply could not afford to drive them any more; or more and more of them were taking the risky road of driving without insurance, and as I indicated some short time ago, were a risk not only to themselves but to the whole community, something that could and does bear with it an incredible social cost.

In recognizing that people were incredibly concerned and that there was a crisis out there, the government announced it was going to take steps. The government noted the shabby treatment—and that was the language that was used—of the insurance consumer by the auto insurance industry and said that things had to be put into effect to put an end to that shabby treatment. The government made a whole bunch of promises. Another oxymoron: Liberal promise.

The government promised a board that was going to regulate rates. The government promised that it was going to take control of the

statistical database. The government promised that it was going to create the office of insurance advocate, which I should say when one reflects on that promise makes one very sceptical about the promises contained in this legislation about a supervisory board.

The government promised these things, and then the penultimate promise came in September 1987, some three days before the last general election. Knowing full well that people across Ontario were dissatisfied with the Liberal performance over the issue of auto insurance, and knowing full well that the vast majority of people and drivers in Ontario recognized the Liberal government as being incapable of responding to that crisis, the Premier (Mr Peterson) made a promise in or about Cambridge.

That one, along with "The cheque's in the mail," has surely seen its day. I have come to learn that occasionally people are misquoted by the press, but thank goodness for videotape, because I cannot think of a single person who has been misquoted by videotape. It has an uncanny quality to it that it accurately reflects what was said and what was done.

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Something was nipping at the Premier's heels three days before the last general election because surely he sensed the outrage in the province over the crisis in auto insurance over the shabby treatment of drivers in Ontario by the auto insurance industry, over the incredible escalation in premiums, over the sad treatment of its customers by the auto insurance industry and over its inability to live up to any of its obligations under the schedule C, section B, existing no-fault system.

The Premier promised on tape, to the people of Ontario, that he had a specific plan to reduce auto insurance premiums. Never have so many people regretted so much as those members of the government who have been plagued by that promise day in, day out, who recognized that it was a promise never designed to be kept. Indeed, people across Ontario think that the Premier lied to them. People across Ontario, upon reflection, said, "I remember that day, three days before the last general election, when Premier David Peterson, running for re-election, promised that he had a very specific plan to reduce auto insurance premiums." They said, "Upon reflection, I think the Premier lied that day."

That is a sad state of affairs, Mr Speaker, when people in the province say that about their Premier. But I think we still have not seen what it was the Premier had in mind when he said that,

because what we started with was the auto insurance board. I remember the day so clearly; around \$7 million went into the auto insurance board—pocket money for the Liberal government, big bucks according to the taxpayers of Ontario, but heck, we are talking about a government that has just taken 10 of its backbenchers off on a little junket to Milan—not one backbencher, not two, not three, but 10. But I say, "My goodness, maybe the Premier ought to have 10 backbenchers with him, because surely somebody has got to carry his luggage." Maybe for these folk \$7 million is pocket money, but for the people down in Welland-Thorold, that is a lot of bucks; it takes a lot of hard work to pay those kinds of taxes.

But \$7 million later—the date was 13 February 1989; I will never forget it—the Ontario Automobile Insurance Board announced its new rates. I was up in North York, along with a whole bunch of auto insurance executive types. There was a little bit of trepidation on their part, some genuine anticipation, because they were undoubtedly saying: "Are these guys going to come through or not? Are they going to deliver or not? Are they going to produce or not?" There was some nervousness. There was edginess. There was some anticipation.

Why would they think, "Are these guys going to produce? Are they going to deliver? Are they going to come through?" Because there had been some considerable investment by the auto insurance industry in Ontario in the Liberal government of Ontario and in the candidates who ran as Liberals in the general election of 1987. In excess of \$100,000 was reported as the contributions by the auto insurance industry to Liberal candidates across Ontario, and that is not pocket change either, Mr Speaker.

When one reflects on that, it is not difficult to understand why these automobile insurance executive types who sit there up at North York at the Ontario Automobile Insurance Board meeting rooms had some anticipation and concern about it. "Are these guys going to come through?" There was some feverish whispering among them, the tension was building and finally the board announced its new rates. I tell you, Mr Speaker, it was like Christmas and birthdays all wrapped up in one for these guys, because the grins that broke out on their faces were unmatched. They were looking at premium increases anywhere from 17 per cent to 82 per cent. Wow. Incredible. These guys at this point were as happy as pigs in a barnyard. Their wildest dreams did not deliver such ecstasy.

But it did not last long because the outrage in the community was tremendous and because among the people hardest hit by those incredible increases of 17 to 82 per cent were senior citizens and young women. They were outraged and they let the government know it. The government reneged.

The automobile insurance executives reached into their lexicons for explanations of what happened—some phrases which they had not used since they were kids in the schoolyard. But I remember that the Minister of Financial Institutions—and this is what makes me sceptical about all of this—because we are talking about September 1987, a very specific plan, a promise. Then first we go the route of rate regulation, with \$7 million. At that point, it was only \$7 million, give or take one or two hundred thousand dollars, or maybe give or take a couple of million dollars. Who knows? We got these rate increases of 17 per cent to 82 per cent. Was that the plan? One has to hope this was not merely an effete exercise on the part of the government, a little bit of redistribution of wealth—\$7 million to the actors on the automobile insurance board. But they backed off that one really fast. They backpedaled, as you have never seen them backpedal before, Mr Speaker.

I remember so clearly, so soon after the backing off, that the minister promised product reform. He was not sure what it was going to be, but he promised product reform. Again, it was not a matter of options, but he promised product reform. So what he did was to refer three schemes to his automobile insurance board. Their incomes continued, the rent on their offices continued and—I know the minister can tell us what the total outlay is, but it well exceeded the \$7 million, and some people have suggested it was as high as \$14 million, but I am not sure it was as high as \$14 million. It was perhaps \$10 million, \$11 million or \$12 million in terms of total cost.

So you have these big bucks being spent up in North York and a whole bunch of references made to the Ontario Automobile Insurance Board. The problem is that this report, these guys gave the wrong answers to the questions. Whether the crib sheets were not properly distributed or whether they got lost in the mail along with the Premier's promise, I do not know, but the fact is that the Ontario Automobile Insurance Board was really not very enthusiastic about any of the schemes the government was proposing.

What they said was: "You guys are barking up the wrong tree here. You are not going to reduce auto insurance premiums by introducing these schemes. Premiums are going to continue to rise." They noted that in jurisdictions that had adopted similar schemes the rate of motor vehicle accidents had increased and they noted that big chunks of people were going to be excluded from receiving compensation. Mind you, they underestimated a little bit but not by that much.

But they noted that big chunks of people, big chunks of innocent, injured, accident victims were going to be denied any compensation for their pain and suffering for their injuries as a result of these schemes.

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Indeed, this is where it is interesting to hear the minister talk about the study and consultation process that had been engaged in. You really have to recognize that there was some study. One of them, as we have already cited, was the study by Mr Justice Osborne, the Osborne report. What is remarkable is that the Minister of Financial Institutions and other people from over on the side there, have not talked about Osborne and what Osborne said. You bet your boots he considered it. Osborne considered the very type of scheme that the government wants to force down our throats right now, he sure did. And what did he say? He said, "I reject threshold no-fault."

I tell you, Mr Speaker, when I read that I had to put the book back in front of me and read it again, because the Minister of Financial Institutions was leaving everybody in Ontario with the impression that his little scheme, the one written in the boardrooms of private auto insurance companies, this bit of legislation before us now, had been considered and discussed and approved by those bodies and individuals who had discussed it and considered it before. I have never heard the minister read Mr Justice Osborne's very specific statement, "I reject threshold no-fault." That is exactly what this Bill 68 is, threshold no-fault. It is not a no-fault system, we know that, it is the farthest thing from it.

Mr Justice Osborne specifically said, "I reject threshold no-fault." What Mr Justice Osborne did say was that the no-fault component, the wage replacement, the medical expenses, those sorts of things, should be enhanced, they should be brought up to contemporary levels. Indeed, I can tell you, Mr Speaker, that if those schedule C, section B benefits were enhanced, were brought up to appropriate levels, that this would constitute a major disincentive for persons

suffering the most modest of injuries, a major disincentive for them to seek other compensation.

Historically, the birth of threshold no-fault, at least of the types that we are looking at, is in the United States of America. Mr Justice Osborne has this to say about that phenomenon, about that historical phenomenon, the implementation and development of threshold no-fault systems in the United States of America. He writes, this is at page 325: "Threshold no fault plans originated in the United States. They went beyond add-on plans and took the further step of abolishing tort actions for some injuries." He goes on on the next page to write this, "The adoption of threshold no fault," that is the sort of thing we have right here in Bill 68, "was also influenced by the particular difficulties that an accident victim seeking compensation faced in the United States—difficulties that were not prevalent in Canada." He writes that, "...the comprehensive social insurance and medical and hospital care programs that developed in Canada and other common law jurisdictions were largely absent in the United States."

This government, that would want to appear to be on the leading edge, is in the trailing darkness, I will tell you that.

Look at this; Mr Justice Osborne, look what he says. He says: "In the last decade, legislative enthusiasm for restricting or abolishing access to the tort system for motor vehicle accident compensation has diminished. No new schemes have been implemented and two states in the United States have repealed their threshold plans in favour of add on no fault benefits."

Now that is incredible. The comment about the Ford Edsel becomes all the more appropriate. This government is 30 years behind the times. I mean, it is trying to implement stuff when the historical basis is in no way identical to that in the United States. It is trying to import a foreign system, and it is doing it when other regimes are dropping it, dropping it like a hot potato because it does not work.

What the government has lost sight of is the fact that the problems out there, the problems that drivers everywhere in Ontario knew, the problems they want their legislators to address, are the problems of affordability and availability.

It is not that auto insurance companies have not been making money in Ontario. They have been making money and good money, I tell the House, and, indeed, the Ontario Automobile Insurance Board, one of the things that it did do was determine that the profits were there and that

the profits were alive and well. They will continue to find ways to make more and more money.

The government in an effort to appease the very angry drivers of Ontario imposed caps, limits, ceilings, on insurance premiums that purported to freeze them. Well, the freeze soon resulted in, first, a 4.5 per cent increase and then another 4.5 per cent increase. That comes to 9.2 per cent. It is compounded, so 4.5 per cent and 4.5 per cent is 9 per cent, but when you compound it, it is 9.2 per cent. Right? Then there was a 7.6 per cent increase.

But look what has been happening, look at what has been happening, and this is not an isolated situation. The member for Nickel Belt (Mr Laughren) back in July of this year posed an illustration to the minister and he asked the minister, "Please respond to this," about the phenomenon of sister insurance companies dropping a driver and then sending that driver over to a sister insurance company down the hall that was going to charge rates well in excess of any 7.6 per cent increase.

Once again, just last week the minister learned of more. He learned of that phenomenon being exercised by Scottish & York Insurance Co. I was able to see a letter from Ontario Insurance Service, 150 Eglinton Avenue East, Toronto, insurance and reinsurance brokers. It says, "Dear Client," and this is a letter that Ms Cerullo received: "We regret to advise that Scottish & York Insurance Co has discontinued writing auto insurance in Ontario, but to ensure that your insurance is continued without interruption, we have taken the liberty of replacing your policy with Victoria Insurance Company. The coverage limits and deductibles remain unchanged and although the premium has increased, we believe it to be very competitive."

Now that is Ontario Insurance Service, 150 Eglinton Avenue East, and what I had was the certificate of automobile insurance from Scottish & York Insurance Co. It is made out to Anna Maria Cerullo of Toronto, for two vehicles, a 1977 Thunderbird and a 1984 Chevrolet Camaro, with a premium rate of \$260 and change for six months. Two vehicles, vehicle 1, vehicle 2; 1977 T-Bird, 1984 Camaro; and commencing 1 June 1989 to 26 October 1989. It is interesting that the address is 150 Eglinton Avenue East. There is the signature of a secretary and president on there.

Her new certificate of automobile insurance, from the Victoria Insurance Co of Canada, with a policy period from 26 October 1989, which is the expiry date of the old one, to 26 April 1990, 1977

Thunderbird, 1984 Chev Camaro, for \$620 and change for a six-month period.

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Interestingly, Victoria Insurance Co of Canada also has the same address, also has the same secretary and the same president. Indeed, when you research the company, you note that both of these companies are wholly owned by the same owner. What a neat, slick, clever, simple way of avoiding, evading, these purported ceilings or limits on premium increases. I mean, this is a classic premium flip. It is more than just a premium shuffle; this is a premium flip. But we have learned not to expect much more than that from the auto insurance industry in this province, the same auto insurance industry that was insisting that it was not making any money, that it was going broke.

For an industry that was going broke, it was sure spending a lot of time, effort, energy and money trying to retain control of the auto insurance industry in this province. When members want to look to where they spend their premium dollars, they do not have to look too far; the premium dollars that all members and I, and folks in each of our ridings, pay on a regular basis.

We look at the big, megabucks campaign in British Columbia to attack and criticize the Insurance Corp of British Columbia, a campaign by the Insurance Bureau of Canada that was dropped, abandoned before it even neared its completion. We talk about the attractive campaign contributions to Liberal candidates in the general election. Where do members think that money came from? It came from the premiums that drivers are paying these insurance companies on a regular basis.

Members would think that an industry that was losing money, that was going broke, that was belly up, would say: "Good, you guys take care of auto insurance in the province. We do not want to do it any more." On the contrary. Oh, they have been doing some high-grading. They have been doing some avoidance tactics. They have made sure that the actuaries and their tables mean diddly-squat in the total scheme of things, but they have been making big bucks and they have no intentions of letting go of it.

Notwithstanding the slick salesmanship of the government, it is a bad piece of legislation we have here, one that is indefensible, one that is indeed shameful, and the position of the opposition is that the problems are just as they were last year and the year before.

What are those problems? The problems are affordability and availability of auto insurance, problems that this government has neglected, refused, failed to address. Indeed we urged this government, as it has been for a good decade before this, to put before its auto insurance board the prospect of a driver-owned, nonprofit, public auto insurance system such as we have in the western provinces.

Did the government investigate that as an option? No. And did the government fall back on, what is it, chapter 15 of the Honourable Mr Justice Osborne's report, which Mr Justice Osborne concedes is not a thorough analysis of the western systems but indeed but a cursory analysis? Implicit in everything that is written by Mr Justice Osborne about the western systems is that they warrant a thorough examination, that they cry out for that in view of the fact that, yes, they provide auto insurance premiums that are cheaper across the board than any auto insurance premium provided for any driver here in the province of Ontario and they do not discriminate on the basis of gender, as we continue to do here in Ontario. Indeed, the three western provinces, Saskatchewan, Manitoba and British Columbia, with the respective driver-owned public auto insurance systems, provide insurance significantly more affordable than has ever been provided here in Ontario and continue to do so.

Let's look at this aspect of those western systems. It is true that each and every one of them was implemented by either a Co-operative Commonwealth Federation or a New Democratic Party government, Saskatchewan as long back as 1946, then Manitoba, then British Columbia. It is equally true that the oppositions of the day vehemently opposed those public, driver-owned, nonprofit automobile insurance systems in those three provinces. Sadly, it is similarly true that the CCF-NDP governments in each of those three provinces at one point or another changed roles with their oppositions and took over the role of opposition, and darned good oppositions I must say.

But in any of those three provinces, did the parties that were opposition parties, that opposed public, driver-owned, nonprofit auto insurance schemes, that opposed them tooth and nail when they were the opposition and subsequently became governments, including the second-most right-wing provincial government in Canada—and I am talking about the Social Credit Party and Bill Vander Zalm in British Columbia.

If you ask, "Who is the first?" you do not have to look far. You just look at some of the

regressive tax measures, like the 14 per cent increase in retail sales tax; absurdities like the \$5 tire tax; absurdities like the greater Toronto area. I mean, if it moves, tax it, and if it don't move, kick it to see if you can make it move and then tax it.

So even the second-most reactionary government in Canada, Bill Vander Zalm and the Socreds, second only to the Liberal—

Interjections.

Mr Kormos: Come on, Mr Speaker. The heroes of the free trade fight. Oh, yes, just watch. The heroes of the fight against the goods and services tax? Come on now. Cut it out, Mr Speaker. These are the guys who have taxation policies that go back to the prior century, never mind to the prior decade. And they are going to try to tout themselves as the heroes of the fight against the GST? Cut it out.

When the budget that came out of this government was but a mirror, a reflection—when they are cut from the same cloth as the clowns up on Parliament Hill in Ottawa and when you see the honourable Premier of Ontario doing his little song and dance beside his counterpart Brian Mulroney, you realize that is the case.

Did any of those three governments that succeeded CCF-NDP governments in the western provinces dismantle the public, driver-owned, nonprofit insurance schemes? Of course not, because they work. Because they continue to provide auto insurance affordably and fairly to drivers in each of those three provinces.

There have been all sorts of assaults on those plans, a massive propaganda campaign by the Insurance Bureau of Canada, which I mentioned a few moments ago, where it spent hundreds of thousands of dollars of premium-payers' money. It did not work. There has been constant criticism from the auto insurance industry that would love to see those three systems privatized; not a chance, because the people of those provinces will not let it happen. They might vote Tory. They might vote Liberal. We know they vote Socred, but will they let any of those governments tamper with their public, driver-owned, nonprofit auto insurance schemes? Of course not, because those systems work. They provide affordable insurance fairly.

Now, we have some real kickers in this scheme that the auto insurance industry wants the Liberals to pass for it. We have the gift, the big multimillion-dollar gift from the government. Really, it is a nonvoluntary gift from the taxpayers of Ontario to the auto insurance

industry, and that is a three per cent premium tax that has been eliminated by this government.

We got the gift in terms of OHIP, and the totals on these—they are estimates at this point, but we are talking about well in excess of \$100 million, probably a little closer to \$150 million in the first year alone, a gift from this government of money that is not its—that money that belongs to the taxpayers of Ontario, money that was seized from the taxpayers of Ontario that is being handed over to the auto insurance industry, and I tell members, it does not need it.

We are talking about a reduction in compensation payouts estimated—and we should not have to see this tested, because this bad legislation should be suppressed; it should be put to a peaceful death—but we see another \$600 million, give or take, easily, in compensation that ain't going to be paid out. Easy, minimum.

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Where is it going to end up? I tell you, Mr Speaker, if you have a few extra bucks, buy insurance stocks. The profits for the auto insurance industry if this legislation goes through are just going to make them ecstatic.

The Minister of Financial Institutions talks coyly about this legislation being considered by the committee. Where I come from, the comment is that that type of talk baffles brains, because when the minister says "committee," he means committee, but it does not really mean committee.

This legislation is going to impact on drivers and nondrivers, passengers, innocent pedestrians across the province. It is going to impact on them in a way they have never dreamed or imagined possible.

The minister does not have support from Osborne, because Mr Justice Osborne said no. Mr Justice Osborne, conducting his report of inquiry into motor vehicle accident compensation in Ontario, said that he rejects this threshold kind of scheme, just like the scheme, Bill 68, that the government is trying to ram through at the request, at the behest, at the direction of the auto insurance industry in Ontario. Mr Justice Osborne says no.

The Ontario Automobile Insurance Board says: "Slow down. It does not seem like such a good idea to us."

We will go back—Slater. Slater does not come close to endorsing anything near what is being proposed now.

So what are these clowns talking about? I ask members, what are they talking about when they say this has been considered and commented

upon in the past? Never has the public had an opportunity to examine, comment on and indeed analyse and critique this legislation that is before this Legislature now. I tell the House that there are people across Ontario who want the opportunity to comment on this legislation.

This government is going to persist and insist that it has consulted the public. Once again, where I come from, that kind of talk is said to baffle brains, because there has been no consultation.

Consultation? Yes, the same way these guys consulted with injured workers when it came down to Bill 162 being before a committee. Some consultation. I saw the Minister of Labour of that day stand up and tell people in this House that there had been consultation. Indeed, I saw that little brochure that the Minister of Labour had published at taxpayers' expense, Lord knows at how many hundreds of thousands of dollars, that said, "We consulted injured workers before we developed Bill 162 that we are putting before you now."

It was incredible, because I was with the committee when it travelled to Hamilton. Some of the folks from Welland-Thorold, the Welland District Injured Workers, representatives of various trade unions, Mike Menicanin from the United Electrical, Radio and Machine Workers of Canada, those types of people, wanted to come up to the committee and talk to the committee about this legislation. They were denied the opportunity to do it in their own community because the Liberal majority on that committee refused to let that committee travel across Ontario and indeed restricted their travel seriously. Indeed, only a fraction of those people and groups who wanted to make submissions to the committee were allowed to make those submissions. The rest of them were jackbooted out of the committee rooms and prevented from addressing the issues.

Consultation? I was there when members of the committee had the pamphlet in front of them that said, with much bravado on the part of the Ministry of Labour, "We have consulted injured workers and trade unions and injured workers' groups." I was there when, one after the other, trade unionists and trade union leaders and injured workers and injured workers' groups appeared before this committee to make their comments, and their comments were not pleasant ones.

They were most critical of the legislation, and each one of them, on that day in Hamilton, was asked: "Were you ever consulted by the govern-

ment? Because it says here in the government pamphlet that the government consulted you." The answer was consistently no. The next question was: "Are you aware of anybody having been consulted? Was perhaps one of your brother or sister trade unionists consulted?" "Well, no." "Did you ever hear of a request from the government to comment on this before now?" "No."

My goodness, that made short shrift of the bold claim by the government in its pamphlet, produced at taxpayers' expense, that it indeed had consulted with injured workers, trade unions, what have you, about Bill 162, those horrible amendments to the Workers' Compensation Act.

These good people, workers, injured workers, concerned people, left that committee room saying: "That statement by the ministry on its pamphlet must be a lie. They say they have consulted with people across Ontario and they cannot come up with any illustrations of having consulted them. It is a lie." They left there shaking their heads and saying: "Look, you know, granted I may not be a Liberal and I may not have voted for them. But still, once they are in government, I do not expect them to lie. I don't expect such bald-faced lies from them." But they walked out saying, "My goodness, we have been lied to." Some said, "We have been lied to again."

Consultation? Just the other day we were talking about Bills 2 and 3 that we are going to be voting on this afternoon. I was on the committee that considered Bills 2 and 3, and the government once again insisted that it had consulted and was going to consult interested groups.

Lo and behold, first reading, 1 May, during the late summer months in the standing committee on administration of justice here at Queen's Park, the Criminal Lawyers Association showed up, a prestigious group of members of the provincial bar, the criminal bar. They said, "Look, we are sorry, but the short notice you gave us makes it impossible for us to analyse and digest the legislation that you are presenting to us now."

The Canadian Bar Association—Ontario, surely a representative body of members of the bar in Ontario, consisting of a mass of talent, said: "Please, give us a little more time. We want an opportunity to help you with this legislation. We want an opportunity to discuss it among ourselves and perhaps help you fine-tune some of the flaws that are apparent in it."

The Advocates' Society came to that committee, and its representatives too said: "We want to help. We want to participate in this process. But give us a couple of weeks because it is the middle of the summer, and it is impossible at this time of the year, to get to our membership, to get our committees together. Give us a month."

I recall moving the motion requesting but a one-month deferral of the matter so that these groups could be consulted because they had not been consulted, and there is simply no doubt about that. Did the Liberal majority on that committee accept the proposition that they should be consulted about the legislation, Bills 2 and 3? No. They rejected it so summarily and so quickly that it left one with no doubt about what their intentions were.

So we are left here, once again, with a minister who insists that people have been consulted. No. This Bill 68 was never before Slater; it was never before Osborne. This Bill 68 was never before the Ontario Automobile Insurance Board, where it belongs. The minister knows or should know that it belongs before the appropriate committee so that that committee, if the process is going to be a democratic one, can look at the legislation, can hear from interested parties, can hear from members of the public who want to comment on the legislation and can make sure that there is not a single group, organization, interested party or member of any community in Ontario who is denied the opportunity to make those comments in committee.

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What that means is obvious. It means that this committee has to be prepared to travel beyond the confines of Queen's Park. Contrary to what some members of this Legislature believe, the world does not begin and end at the perimeter of this property. People in North Bay, people in Kenora, people in the Niagara Peninsula, people in Windsor, people across the province have to have an opportunity to comment on this legislation. They have got things to say about it; that is apparent.

This legislation and its deficiencies, its cruelty, have been the subject matter of media across the province, both print and electronic. The minister knows that. He has conducted a feeble but consistent selling job and has used his best press-agent skills to pick language that makes it marketable, to be highly selective about the type of language that is used: as I say, the absolute complete misnomer of referring to it as "no-fault."

First, as we have indicated, there is lots of fault that one could find with this legislation. The furthest thing in the world that it could be called is "no-fault." Second, it is not a no-fault system; it is a threshold system. Yet the government does not want to call it a threshold system because that conjures up images of the horror shows in the United States. The government wants to shake its fist and say, "It's made in Ontario." Poppycock. It is imported. It is a Michigan system plus one.

The government does not want to live with the fact that the insurance companies wrote it, and I guess in the most technical sense it is true because, as I have indicated before, what the insurance companies wanted was not as severe or as restrictive as the legislation that is being imposed on us now.

What I suspect is that there might be a little bit of a highball here, in view of the fact that the Insurance Bureau of Canada only wanted the Michigan threshold and not the onerous threshold that is a part of this legislation, in view of the fact that the Insurance Bureau of Canada quite candidly said, "We only want to exclude 92 per cent of all injured accident victims from receiving compensation." What the government's proposal does here is excludes anywhere from 94 per cent to 99 per cent.

I suspect that there could be an element of highball here. I would not be overly surprised if the government backed off just a touch and said, "Okay, we will utilize the Michigan threshold." Yet that is exactly what the highball process is. You ask for a little more than you know you are going to get and you know you are going to accept.

I would not be at all surprised if when that happened, the auto insurance industry in Ontario shed its big alligator tears of grief at having to adopt or accept a threshold that it proposed itself. But these mock tears of sadness and grief would be part of the whole selling job, part of the whole scam that is going on here.

If the minister is as confident about this legislation as he would want to appear to be, if he really believes half of what he is saying about it, if he believes only half of what he is saying about it—because I have a feeling that, if the truth be told, even the minister does not believe what he is saying about this bill, about this legislation—he would not be afraid to let this legislation go to committee and to let that committee travel across Ontario, to let that committee hear submissions—

The Speaker: I am sorry to interrupt the member. However, there was unanimous consent that another matter would take place at 5:45.

I do not know if the member has any further comments on this legislation. If so, he may wish to adjourn the debate.

On motion by Mr Kormos, the debate was adjourned.

Interjections.

The Speaker: I wonder if some of the members could read standing order 20. It would be helpful.

Pursuant to standing order 27, by unanimous consent it was agreed there would be division on third reading of Bill 2 and third reading of Bill 3. The allotted time was set at 5:45. That time has arrived. I would remind members that it will be a five-minute bell.

1750

COURTS OF JUSTICE AMENDMENT ACT, 1989

The House divided on Mr Scott's motion for third reading of Bill 2, which was agreed to on the following vote:

Ayes

Adams, Ballinger, Beer, Black, Bossy, Bradley, Callahan, Caplan, Carrothers, Cleary, Collins, Conway, Cooke, D. R., Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Epp, Faubert, Fleet, Fulton, Grandmaitre, Haggerty, Harris, Hart, Henderson, Hošek, Jackson, Johnson, J. M., Kanter, Kozyra, Lipsett;

MacDonald, Mahoney, McCague, McClelland, McGuigan, McGuinty, McLean, McLeod, Miclash, Miller, Neumann, Nixon, J. B., Offer, O'Neil, H., O'Neill, Y., Owen, Phillips, G., Pollock, Ray, M. C., Reyecraft, Riddell, Roberts, Runciman, Scott, Smith, D. W., Smith, E. J., Sola, South, Sterling, Stoner, Sullivan, Sweeney, Tatham, Velshi, Ward, Wilson, Wiseman, Wong, Wrye.

Nays

Bryden, Charlton, Cooke, D. S., Grier, Hampton, Kormos, Mackenzie, Martel, Morin-Strom, Philip, E., Pouliot, Reville, Wildman.

Pairs

Breaugh, Cureatz.

Ayes 73; nays 13.

COURT REFORM STATUTE LAW AMENDMENT ACT, 1989

The House divided on Mr Scott's motion for third reading of Bill 3, which was agreed to on the same vote.

AUTOMOBILE INSURANCE

The Speaker: Pursuant to standing order 33, the question that this House do now adjourn is deemed to have been made. The member for Welland-Thorold gave notice of his dissatisfaction with the answer to a question given by the Minister of Financial Institutions. The member has up to five minutes to discuss the matter and the minister has up to five minutes to respond.

Mr Kormos: The question to the minister earlier today was very straightforward and clear. It had to do with the inadequacy of the no-fault benefits contained in the new insurance scheme. In particular, I made reference to subsection 8(3), a section that purports to provide long-term care.

I indicated to the minister when that was announced that he had puffed out his chest and had taken great—

Interjections.

The Speaker: I have had a request for a little less noise and fewer private conversations.

Mr Kormos: The government appeared to take some great pride in this new provision, long-term care, one it indicated was not available under the current system and one that had a ceiling—my goodness, a ceiling—of \$500,000. But the little kicker, and there is a really interesting little kicker, is in subsection 8(3) of the regulations, part II, "The maximum payable per month is the lesser of \$1,500 or the monthly cost"—listen, Mr Speaker, this is incredible—"of a group residence appropriate to accommodate the needs of the insured person."

The lesser of the two. My comment to the minister was that what that amounts to is approximately \$50 a day, that the government on the one hand appears—I suppose this is a matter of checking against reality, but the government is inclined to say that its policy is to support community living for disabled persons, yet here in its very own regulations it includes a ceiling or cap of \$1,500—\$50 per day—or the lesser of the cost of residential treatment.

What the government suggests clearly by that is that if residential treatment is going to be provided, it cannot cost any more than \$1,500 a month. I will tell you, Mr Speaker, and you should know this, that first of all residential treatment that does not cost any more than \$1,500 a month is the most minimal and demeaning type of residential treatment. To boot, this contradicts the very stated policy of the government, and that is that disabled persons should be living in the community. The govern-

ment's goal, and certainly the government has received a whole lot of prompting in that regard from the opposition, is stated to be to support community living for disabled persons, rather than institutional living.

My question to the minister was, can he comment on the fairness of that and the apparent contradiction that is contained in subsection 8(3)? It is a situation that really contradicts and belies this grand figure of \$500,000 as being the maximum under the plan. One would be hard pressed to reach \$500,000 when the cap is indeed, and in reality, \$1,500 a month—\$50 a day—for disabled persons.

I tell members that \$50 a day would provide only three to four hours of moderately priced support in the person's home. A person who was totally disabled and forced to rely—the so-called no-fault benefits—on this provision, long-term care, would be hard pressed to find care available for \$50 a day. Surely that care, at \$50 a day, is not care that could be provided for in the home because \$50 is only going to buy you three to four hours a day of care, and the type of care that buys you in an institution is—you have to concede, Mr Speaker—pathetic,

That does not even deal with or consider the absence of indexation in this so-called no-fault scheme. That was commented on, I appreciate, by me perhaps half an hour or so ago during our discussion of Bill 68. But that \$1,500 ceiling—\$50 a day—becomes even less day after day, month after month, year after year as inflation begins to erode it, and indeed it would be cut in half in real terms every 10 to 20 years, just as the old \$140 was.

The minister failed completely to address the \$1,500, the \$50 a day, the contradiction between what is in these regulations, the proposal that a person should only receive the lesser of institutional care for \$1,500, the contradiction between that and the purported and stated government policy of encouraging community living for disabled persons.

Hon Mr Elston: The honourable gentleman always has the opportunity of requiring that ministers repeat the answers that have been previously given in a most full and favourable fashion.

It was my intent to indicate to the public that it should always be aware of the projections into the future raised by this gentleman because sometimes the material with which he premises a good number of his questions does not always stand up to the test of scrutiny. That is why, in the dying moments of question period this afternoon

when he hoped to constrain my ability to reply in a very full fashion, I raised the issue of Mr Heaslip, who we were told was in the Facility Association, who we were told was a good example of how the world would unravel under the new product reform.

Of course, when I undertook to go back and check out, for the benefit of the people of Ontario, the factual basis for these questions, I had to then come forward and report that I found that Mr Heaslip indeed was not in the Facility Association and that in fact the basis upon which his question was premised was false.

In addition to that, I found out that the assertions made by Mr McKay, who was quoted roundly the other day by the member for Welland-Thorold, were only a personal opinion, that in fact the companies do not share the same view of the world as Mr McKay, as Mr McKay looked into the future.

In the very short period of time that was allowed to me, because the member orchestrated a very long question that he then felt would cut me off as I was replying to his interrogatory, I decided I must put it on a basis so that people could read exactly how his projection into the future of how this world would unfold could be determined.

What I did, Mr Speaker, in a very few words as I knew you were interested in moving on to the next round of business so we could listen to the member for Welland-Thorold speak for upwards of two hours—I understand he is going to delay our bill again tomorrow by speaking all afternoon; that is the intelligence that is coming from his colleagues. That is not of course what I think he would want to do. He would want us to debate this bill so that he could bring forward into committee the discussions on what he wants us to pursue further and fuller answers on, even today.

I can tell the honourable gentleman that \$500,000 in long-term care is an incredible increase over the zero that was involved in the current no-fault benefits he has rightly pointed out. He can tell us that in addition to that, at whatever level, that is an extremely important increase because there is none now available for people under our no-fault benefits. We have used the premium base to redistribute the benefits, to redistribute the premium dollars that are collected so that we put more money in the pockets of the injured people.

That is what is key. We must have as much as possible of the premium dollar made available to help and assist the injured person. That is what is at the basis of this product. Yes, there is a

\$500,000 cap on long-term care, and yes, there is a \$500,000 cap on supplementary medical and rehabilitation care, and yes, there is a \$450-per-week reimbursement of lost wages under this product. People can purchase more. For some people it may be necessary, who feel their consumer-oriented decisions will be such that they will purchase more.

Let's not be led astray by a sophisticated lobbyist for the Committee for Fair Action in Insurance. Let's not be led astray by a person who is standing up for the status quo in this province. That is what that man wants. He wants the status quo with one exception. It is a big exception. He wants public automobile insurance. He wants the government to own it, but he wants the status quo. He wants the premium dollars, however collected, retained for the

intermediaries. He does not want to redistribute the premiums so that they are available for the injured. That is what this product is about. That is what his question is about.

We are redistributing the premium so that the injured person can have access to it, not only for lost income replacement and not only for supplementary medical and rehab, but also for long-term care. I do not apologize for making available more premium dollars for the injured. That is what this government is about, having a balanced, socially acceptable insurance policy.

The Speaker: There being no further matter to debate, I declare the motion to adjourn to be carried. Therefore, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1808.

ERRATUM

No.	Page	Column	Line	Should read:
67	3826	1	38	sider making drivers' education with licensed teachers mandatory at least for the people in the high-risk age group?

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breagh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Orion L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
- Miclash, Frank (Kenora L)
- Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
- Morin-Strom, Karl E. (Sault Ste Marie NDP)
- Neumann, David E. (Brantford L)
- Nicholas, Cindy (Scarborough Centre L)
- Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
- Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L)
- Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
- Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
- Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
- Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)
- Pollock, Jim (Hastings-Peterborough PC)
- Polsinelli, Claudio (Yorkview L)
- Poole, Dianne (Eglinton L)
- Pope, Alan W. (Cochrane South PC)
- Pouliot, Gilles (Lake Nipigon NDP)
- Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
- Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
- Reycraft, Douglas R. (Middlesex L)
- Riddell, Jack (Huron L)
- Roberts, Marietta L. D. (Elgin L)
- Runciman, Robert W. (Leeds-Grenville PC)
- Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
- Smith, David W. (Lambton L)
- Smith, E. Joan (London South L)
- Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
- South, Larry (Frontenac-Addington L)
- Sterling, Norman W. (Carleton PC)
- Stoner, Norah (Durham West L)
- Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
- Tatham, Charlie (Oxford L)
- Velshi, Murad (Don Mills L)
- Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
- Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
- Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 69

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Wednesday 15 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 November 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

NURSES' PARTICIPATION IN HOSPITAL MANAGEMENT

Mr Reville: Members may remember that last spring the Minister of Health (Mrs Caplan) rose in her place and with much fanfare announced that she was going to solve the nursing crisis in the province of Ontario once and for all. Of course, what she did was to say, "I am going to change the regulations to the Public Hospitals Act so that nurses can finally have some say in how their workplaces are run," and she then pointed a finger at the hospital administrators of the province and said, "Ye shall do this thing by 30 September 1989."

As my colleague from the third party and I have pointed out, many a time the minister's fiat is not always obeyed by hospitals, although we cannot imagine why. Today in the press we see that a head nurse, Glenna Cole Slattery, has said that only one of the province's 222 hospitals has complied by the 30 September deadline and that, of course, has set in motion a huge argument with one of the administrators of a hospital who says: "No, no, she is wrong. There are two hospitals."

Well, whether it is one or two, one or two out of 222 is a very poor score. When do members think that the government will really take action to improve the problems in nursing in the province?

EMPLOYER HEALTH LEVY

Mr Jackson: I hope the Treasurer (Mr R. F. Nixon) takes the time to review what a coalition of Ontario small businesses had to say this morning about his employer health tax. The coalition made a forceful case against the tax on the grounds that it is not revenue-neutral, that it is a hidden tax which will ultimately be paid by employees, that it could hurt business development in Ontario, that it will create huge amounts of extra paperwork and a larger civil service.

I would think that a Treasurer who yesterday released a forecast projecting higher unemployment rates, slower growth and fewer new jobs,

would want to reconsider the wisdom of imposing a tax on job creation. At the very least, the Treasurer should add some meat to the bones of his government's rhetoric on the importance of the small business sector by following the recommendation made this morning by the coalition and earlier by this party that the bill be amended to provide for a small business exemption. Such an exemption would greatly reduce the complexity of the new tax system but encourage small-business job creation and move the new tax closer to revenue neutrality thereby relieving our employers of having to pay additional tax on account of this government's mismanagement of the health care system.

If the Treasurer turns a deaf ear to these recommendations and to others which will be put forward during public hearings on the employer health tax bill, I fully expect to see him back in this chamber in the not-too-distant future trying to undo the mischief caused by this most destructive new tax.

ELECTED REPRESENTATIVES

Mr Adams: While every Parliament is representative in the sense that every individual and group in the province is involved in the electoral process, no Parliament has ever been a true cross-section of the people it represents. It is healthy for a Parliament, from time to time, to think about its makeup so that members become more conscious of biases which might develop in it.

We can think of representativeness in all sorts of ways. For example, the average age of members in this House is 49 years. This is somewhat younger than the last Parliament, but it is higher than the average of the general population. The 18-to-34 age group of electors is very poorly represented here, with only 2.6 per cent of the members representing 20 per cent of the population. The over-65 age group is also poorly represented, with just over four per cent of the members representing more than 10 per cent of the population.

Around 80 per cent of members have some post-secondary education. This is certainly not representative of the province as a whole and indeed may be very unusual for the parliaments

of Ontario, as only 10 years ago at least one quarter of the members had finished their formal education with high school or less. It is very important that, from time to time, we become conscious of our biases.

OFFTRACK BETTING

Miss Martel: In mid-July of 1989 the federal government amended the Criminal Code to permit provinces to regulate teletheatre betting of harness racing. In no small way the problems being faced by Sudbury Downs, northern Ontario's only racetrack, prompted this action. With the federal government on side, it is now up to the provincial government to agree to offtrack betting so that Sudbury Downs will be able to attract the population base that cannot now be attracted due to the great distances of northern Ontario.

According to the Sudbury regional development corporation, Sudbury Downs plays host to 800 people, on average, on racing nights. Of these, 15 per cent are out-of-town visitors and up to 18 customers served in the dining lounge are from outlying communities. The track employs 165 full-time and part-time employees, with a payroll of over \$500,000. Additional revenues are generated in the surrounding area with the provision of goods and services to the track itself.

In the past 14 years the Downs has generated some \$2 million in municipal taxes. However, the track has continued to incur financial losses and will only be able to turn the tide with the advent of teletheatre betting. Many of us have written to the Premier (Mr Peterson) and to the Minister of Consumer and Commercial Relations (Mr Sorbara) to encourage this legislation.

On 18 August, the Premier advised he would embark on discussions to obtain the necessary information to make the decision. On 11 September, the minister responsible promised more of the same. On 25 October, the Premier again promised to research the matter and make a decision. To date, there has been no response. It is time the government stopped stalling and established teletheatre betting in this province.

CRAIG SHERGOLD

Mr McCague: I want to bring to the attention of fellow members the plight of a very brave young man living in England. Just 10 years old, Craig Shergold is fighting a battle with cancer. Determined that his illness will not stand in the way of making his mark on the world, Craig has decided to enshrine his name in the Guinness Book of World Records.

He will do this by receiving more than 1.25 million get-well cards. With the help of thousands of strangers from around the world, Craig has just about realized his dream. With a little help from the members of this Legislature, he is bound to go over the top of the goal post.

Together, we represent nine million people. As members, we have networks that reach into every corner of this province. We can use those networks to make Craig's wish come true. In a race where time is our only adversary, we can come together to help Craig cross the finish line.

I urge all members to make this brave young fellow's wish their own and play their part in making it come true. On behalf of Craig, reach out to the people of Ontario and urge them to send a get-well card to Craig Shergold, 232 Kent Street West, Suite 4, Lindsay, Ontario, K9V 6A4.

1340

INTERNATIONAL TRADE

Mr D. R. Cooke: Yesterday, once again, the House celebrated in unanimity the excitement and the drama that is sweeping eastern Europe. We are witnessing changes that are revolutionizing, not just that part of the world, but the whole world. These changes will have profound effects on world trading patterns. Yet the west does not seem to be grasping either the duty or, frankly, the opportunity.

The dream was started in Poland and in Hungary. It was started there, in part, because these two great nations are in very, very tough economic straits. They have opted for open free markets but they desperately need our help.

Poland is Canada's greatest debtor nation. While it was ruled by communist dictators, we lent it \$2.3 billion, more than we have lent any other nation in the world. Surely now that it is taking the giant steps to convert itself in record time to a free enterprise economy, it is the time to come to its aid.

Lech Walesa's humour will be sad if we do not respond. He likened western support to offering a beautiful necktie to a corpse. Let us do better. If Ottawa cannot be more generous in dealing with Poland's debt, and they should be more generous, let our government at least take the lead in trade ventures wherever we can.

AUTOMOBILE INSURANCE

Mr Hampton: The government calls its proposed insurance scheme a creative initiative designed to keep insurance premiums in this province at a minimum. However, the government is not so quick to point out that over \$141

million of taxpayers' money will be handed over annually to subsidize the insurance companies of this province.

It is not enough that under the government's auto insurance scheme accident benefits will be savagely cut and rates are to increase at a minimum of eight per cent, but if the government has its way, the people of this province will be supporting the pocketbooks of the insurance industry through their tax dollars as well.

I have no doubt that Ontario's insurance companies are more than pleased with the Liberal government's proposal. However, the government's auto insurance scheme does a grave injustice to Ontario drivers and Ontario taxpayers.

Rather than hide the increases in insurance premiums with a \$141-million subsidy for the insurance companies, the government should admit its auto insurance scheme does not produce substantial savings for Ontario's drivers and if the government is willing to admit this, it will very soon find the support is totally lacking for its so-called new auto insurance proposal.

HIGHWAY CONSTRUCTION

Mr Wiseman: As we all know, the cost of vehicle registration fees goes up substantially this year but the Minister of Transportation (Mr Wrye) has yet to tell us how much money will be collected through this measure. However, with an increase of from \$54 to \$90 in the greater Toronto area, coupled with a smaller rise outside, it is surely to be a hefty amount.

As well, the minister has declared war on those who exceed the speed limits through his plan to double speeding fines but we would like to know what the minister is doing with this windfall.

Is he, as we hope, planning to use this money to continue extensive reconstruction which is badly needed on our local roads? Does he understand the very real dangers involved in driving on some of our rural highways?

My own riding of Lanark-Renfrew has several projects which are in dire need of assistance and I offer one example of county road 18 from Port Elmsley to county road 1 as just one of the examples of the work that should be done in eastern Ontario.

I would urge the minister to do what he can to ensure that the money collected through these initiatives stay within his ministry to be used to maintain our local roads and keep our people safer.

BERLIN WALL

Mr Daigeler: Last weekend's historic opening of East Germany's borders brings deep joy to

all nations. For the first time in over 50 years of totalitarian rule, East Germans and, it appears, others in eastern Europe are free to travel as they wish.

We who have grown up in western democracies take the right to free movement for granted. Seeing so many people enjoy for the first time in half a century a quiet stroll in West Berlin or other parts of West Germany—these signs of people's new-found freedom—warms our hearts, but it also makes us thankful for our own privileged situation where civil liberties have never been seriously threatened.

As history unfolds in eastern Europe in dramatic new beginnings, let us hope that they will usher in an era of freedom, peace and prosperity for all. May we never again witness the building of a wall that divides families and nations into two physical and ideological blocs.

As Prime Minister Mulroney prepares for his forthcoming visit to the Soviet Union, I call on all Canadians to help eastern Europe with moral and economic assistance in this difficult period of transition. I also invite all levels of government to open our own borders for those who wish to find a new home in Canada where freedom of speech and freedom to travel have always been the cornerstone—

The Speaker: Thank you. That completes the allotted time for members' statements.

STATEMENT BY THE MINISTRY

NURSING CO-ORDINATOR

Hon Mrs Caplan: Further to my announcement two weeks ago regarding our government's initiatives to improve recruitment and retention of nurses, today it is my pleasure to announce that the key position of nursing co-ordinator for the province has been filled.

Pat Bethune, the president of the Ontario Nurses' Association has been appointed to the position effective 1 January 1990 following completion of her term as the Ontario Nurses' Association president.

I want to emphasize again how important the enhancement of job satisfaction among nurses is to the future of our health care system. Ms Bethune will be a vital link between the ministry and the nursing profession in accomplishing this goal. She will report to the ministry's assistant deputy minister for planning and programs and will have two nursing policy advisers assisting her.

Ms Bethune comes to the ministry with a wealth of valuable experience. She has been a staff nurse at North Bay Civic Hospital since

1967, and during her nursing career, has been involved in a wide variety of continuing education programs. She has also been an active member of provincial and local labour relations committees and, in addition to her involvement with the Ontario Nurses' Association, has been affiliated with the Registered Nurses' Association of Ontario.

As co-ordinator, one of her tasks will be to work with the Registered Nurses' Association of Ontario to develop workshops to assist and advise nurses who have been appointed to hospital committees. I think we have found the ideal person to advise the government on what steps will best enhance the work environment and the role of nurses in this province.

Ms Bethune will be co-ordinating some of our major nursing initiatives. She will have input into decisions regarding the \$5-million nursing innovation fund, the \$1.5-million bursary program, restructuring and broadening the membership of the Advisory Committee on Nursing Manpower, and the \$400,000 funding for research in quality of work environment issues which I recently announced.

Ms Bethune's election to the presidency of the largest nursing organization in Ontario speaks to the respect she has won among her peers. Ms Bethune represents their views and we, as government, expect to learn a great deal through the interchange.

Nurses play a crucial role in our health care system. I feel that the appointment of a nursing co-ordinator is an important step toward finding solutions to a number of the challenges facing nurses and the nursing profession.

Ms Bethune is in the gallery today and I would ask members of the House to welcome her.

RESPONSES

NURSING CO-ORDINATOR

Mr Reville: It had to happen. I knew that if I stayed in this House long enough, the minister, who is wont to make many a statement, would eventually make a statement that would leave me speechless, or worse still, it would render me congratulatory.

I would like to congratulate the minister on unusual sagacity in this appointment. Clearly, Ms Bethune is eminently qualified for this post and while the minister acknowledges that she believes the government will learn a great deal from Ms Bethune, I suspect that the government will learn a great deal more than the minister may now suspect.

1350

Her first job, I understand, will be to work with the Registered Nurses' Association of Ontario—I see the executive director here today and I welcome her—to develop workshops to assist and advise nurses who have been appointed to hospital committees. We suspect that at the moment the staff-student ratio will be very high. As I understand it, job one of Ms Bethune will be to try to convince the 221, or perhaps it is 220, hospitals in the province that do not have nurses on any of their committees. That will be an important and worthwhile job, and I wish her well in that connection.

I am not going to use my full time today, which is another unusual experience, but as I stand here a wallflower, I must point out to the House that everybody always wants to dance with the minister.

Mr Brandt: On behalf of our party, we would like to congratulate Ms Bethune on the appointment and also, with some reluctance, congratulate the minister as well on her very appropriate appointment.

Certainly we recognize, I think, as do all members of this House, that we can improve very substantially on nursing services in this province by developing a better relationship and a better level of understanding between nurses through their input on these various committees than perhaps has been the case in the past. So we want to take this opportunity to join with our colleagues in the official opposition to wish the former resident of North Bay the very best.

I know that if my colleague the member for Nipissing (Mr Harris) were here, he would want to extend a congratulatory word or two on behalf of his own local constituency and on behalf of our party, but I am pleased to have the opportunity to do so.

We will be very interested in working with Ms Bethune in any way that we can as well, co-operatively, to see if we can in fact entice some of the nurses who have left the profession back into the field, if we can in fact overcome some of those very real problems that our professional nurses have identified, such as working conditions, such as the salary structure, such as a whole host of problems that we have to come to grips with if we are going to improve the level, the standard, the quality of health services in this province. In anything that can be done in that respect, the minister has our undying co-operation, I assure her.

The Speaker: That completes the allotted time for ministerial statements and responses, so

in the same congenial mood, I call for oral questions. The Leader of the Opposition.

Mr B. Rae: Mr Speaker, in the same congenial mood in which you called on me, I will address my question to my dear friend, the congenial Treasurer.

ORAL QUESTIONS

GOODS AND SERVICES TAX

Mr B. Rae: I wonder if the Treasurer could—I hope he has before him a copy; I thought he might have brought it in with him—turn to page 101 of the Economic Outlook and Fiscal Review for 1989. There the Treasurer will find a list of tax expenditures, that is to say, tax revenues that are forgone, under the heading of “Retail Sales Tax Expenditures.”

I was interested, as I am sure many other Ontarians were, in the apparent negotiations that took place during the first ministers’ conference saying that there was going to be a new period of negotiation among the treasurers with the Minister of Finance with respect to the future of the goods and services tax.

My question for the Treasurer is this. He will see from this sheet that Ontario forgoes well over \$10 billion in revenue, money not taxed, some of which would be taxed under the GST. Can the Treasurer tell us, is part of his desire for negotiation based on the fact that if there were a combined tax participated in by Ontario, it would mean that the retail sales tax would apply to many services and many things upon which Ontario citizens are now not taxed?

Hon R. F. Nixon: I do not believe the honourable member is correct when he tells the House that there is some sort of resumption of discussions with the Minister of Finance for Canada, the other treasurers and myself about the proposed new tax. There is no indication of that at all. I should say that Mr Wilson has called a meeting of the treasurers for, I believe, 6 December in Ottawa, but there is no indication whatsoever that there will be any discussion of the tax at that time.

We might certainly reiterate our criticism of the fiscal impact on the province, but the government of Canada, particularly the Prime Minister in his opening remarks, said clearly that the tax was going forward as planned.

Mr B. Rae: Perhaps I could ask the Treasurer this. Can he tell us, are there any circumstances in which he can foresee that Ontario would participate with the federal government in a combined, double-whammy, GST-retail sales

tax escapade? Are there any circumstances in which he can see such joint participation?

Hon R. F. Nixon: First, I think the honourable member would be aware that in the comments from the Treasury, myself and my colleagues have indicated that we feel the rate of the tax is too high at nine per cent, that we disagree with the government of Canada that the inflation pertaining to that high rate is simply going to be a bit of a blip in economic history. We feel that the nine per cent rate is too high and that it should be lower than that.

Second, we have indicated that we do not like the way they propose to tax the municipalities, universities, school boards and hospitals. We think they should be zero-rated. Our criticism of the tax has been put forward not only in public but for the honourable member in times past.

Mr B. Rae: I think what we have just heard is a prelude to a change of heart on the part of the government of Ontario. That is what I am hearing.

I want to ask the Treasurer to again look at page 101 and table 3. Professional services: He is forgoing now \$4 billion. Commercial services: He is forgoing now \$2.2 billion. It does not require a great deal of imagination to say that Ontario could even lower its own retail sales tax ever so slightly, join in with the GST and look at the—

Mr Neumann: Is that what you are recommending?

Mr B. Rae: No, it is not what I am recommending. It is what I am warning taxpayers is going to come, a double whammy, participated in fully by the Ontario government, in which consumers who have not been paying tax in Ontario on all these items will suddenly wake up one morning and find an agreement with the federal government in which the taxpayers have literally been taxed to death. That is what we are warning Ontario taxpayers about.

The Speaker: Are you asking if the Treasurer agrees?

Hon R. F. Nixon: The honourable member is tilting at windmills. This is the sort of thing that is typical for the honourable member to undertake. If he thinks that we are going to undertake the taxing of farmers, for example, or fisherpersons—did he notice that listing, fisherpersons?—hospitals, religious and charitable, disabled persons—this is the list he is talking about.

As a matter of fact, there was a time under the bad old former government when production machinery was taxed. That is no longer taxed,

because obviously the Legislature believes that we have to see that the means of production and making jobs is as tax-free as possible, fostering the economic development of this jurisdiction and the jobs that are associated with it.

Mr B. Rae: All I can say is that when I asked the Treasurer whether there were any circumstances in which the government would not participate, he was not able to answer the question directly.

Hon R. F. Nixon: What is this coda that he adds on to the question?

Mr B. Rae: The minister has a prelude; I have a coda. That is all right.

AUTOMOBILE INSURANCE

Mr B. Rae: I have a question for the Minister of Financial Institutions. One of the little-recognized sections of the bill which the minister has proposed on car insurance contains some draft regulations with respect to the way in which the no-fault plan would work. Can the minister tell us what kind of care he thinks a person disabled as a result of a car accident can receive for \$1,500 a month?

1400

Hon Mr Elston: In addition to the benefits which are prescribed under the regulations, as the member indicates, of course there will be litigation to determine the personal needs of a person who is disabled as a result of the car accident, so I cannot describe for him fully what each individual will require. That is why we have retained access to the courts for those serious situations.

Mr B. Rae: I can tell the minister, and he may not be aware of this, that you can get injured in an accident, you can even get killed in an accident and it can take years and years for that litigation to be settled. The minister has made that even more assured because of all the loops and hoops that he has required people to go through.

I want to ask the minister, what does he think is going to happen for the four or five years? Assuming that there was litigation and assuming that it was allowed, what is going to happen to the person who has to survive in terms of long-term care needs on \$1,500 a month? Can I ask the minister specifically this question: Why is he forcing people who are going to be injured in these accidents to spend the first four or five years after an accident in an institution? Why is he going to be doing that?

Hon Mr Elston: That is not the case, as the honourable gentleman knows, because what he

failed to recognize was that in addition to the \$1,500 a month, which he has segregated apart from the rest of the benefits, there is in addition \$450 per week as income replacement. There are monies available also for supplementary medical care and rehabilitation costs. When you put all of those items together, in fact, there are a number of dollars which are made available.

I have to say as well to the honourable gentleman that he has rightly put his finger on one of the problems with our current situation, that people are left high and dry without any sustenance, at least, hardly any sustenance at all, to allow them to maintain their lifestyle, to allow them to support their need for rehabilitation, except by dipping into their own personal reserves, going into debt, for instance, to help them recover and be rehabilitated in a timely manner. That is why the benefits which we have, by regulation and otherwise, made available for the people are going to be a vast improvement over what we have now. He has rightly identified the long delay in litigation and that is what we are going to overcome by this new, balanced product.

Mr B. Rae: The minister should know this—he is a former Minister of Health; the Minister of Health (Mrs Caplan) knows perfectly well—and if he does not, I will tell him. It is impossible for somebody who is seriously disabled to be cared for at home on other than a purely temporary basis for \$1,500 a month. If the minister does not understand that, I will tell him that it cannot be done. In terms of the seriousness of the disability, it cannot be done.

The net effect of what he is doing and proposing by setting a limit, a cheap, cheesy limit of \$1,500 a month, is that he is forcing these people into institutions. Why is he doing that? Why is he bringing in an insurance scheme that is forcing people into institutions? That is exactly what he is doing by capping the benefit for long-term care at \$1,500. Do not ask them to rob their children's food in order to pay for long-term care.

The Speaker: Order.

Hon Mr Elston: The honourable gentleman has taken a lesson from the book of the member for Welland-Thorold (Mr Kormos). He is not telling the whole story. This gentleman knows very well that in addition to the very good and very well managed medical system that we have, there is \$1,500 more for long-term care, there is more money available for rehabilitation services and there is available \$450 per week to help replace the income.

On top of that, we have home care programs both for acute and chronic care patients. We have assistance for homemakers put forward through the auspices of the member for Oriole, the Minister of Health and from the Minister of Community and Social Services (Mr Beer). We have a program which now is, in a comprehensive manner, able to keep people in their homes in a way in which they have never been able to be kept in their homes before. We have a program which will help sustain people over the long haul that is required to sustain them while they process their litigation. They will have a better chance of having an evenhanded decision made about the litigation. They will be able to prosecute their litigation to the fullest extent, to allow them have their personal needs looked into.

ONTARIO PUBLIC SERVICE

Mr Brandt: My question is to the Chairman of Management Board of Cabinet as well. I hope that I can get the Chairman to give, perhaps, a somewhat more concise answer than the last series of responses.

I want to ask the Chairman of Management Board, in view of the statements made by the Treasurer (Mr R. F. Nixon) where he has indicated, in anticipating a slowdown in the provincial economy, that in order to maintain or to keep the deficit at the current level, increased taxes or a reduction in services or a cut in certain programs will be necessary—that is what the provincial Treasurer has said with respect to his economic forecast relating to what he anticipates will be a slowdown in the economy—in view of those facts, why is it that over the past four years his government has increased the leased space which he is renting in the Metropolitan Toronto area by some 750,000 square feet? How can he justify that kind of increase?

Hon Mr Elston: I am not sure exactly where the honourable member wants me to get a concise answer to a question as verbose as that. He went on for a long time, but basically I will answer him this way. He is on his feet daily telling us to do more in making available more programs and making available more money for more people. On every other day, he stands up to the people outside and says to them, "Cut back." Today is his "Cut back expenditure" day. And that is an important item for him, because on an interim basis he is planning, perhaps, to run for leader, so he wants to be fiscally responsible today.

But I will tell him we have not added one square metre of space more than we require to deliver the programs that he is telling us to

deliver. We are not adding one more square metre of space than is required to assist the people in a way which he and his members day by day advocate in front of the Minister of Health and the Treasurer, in front of the Attorney General (Mr Scott), in front of the Minister of Education (Mr Conway), in front of the Minister of Correctional Services (Mr Patten). We take into account what is needed. The people of the province expect us to deliver and we are delivering the programs.

Mr Brandt: I have to say to the Chairman of Management Board, with the greatest of respect, that the 750,000 square feet I am talking about are not programs for people; they are offices for staff. That is what they are, offices for staff who are working at desks. They are not field representatives.

That represents, I might add, only Metropolitan Toronto. It comes to a cost of some \$60 million. Can he justify the Treasurer saying that he is going to either increase taxes or cut back programs when he has allowed his real estate leasing to expand at a rate that is probably comparable to the other nine provinces combined in this entire country? How can he justify that kind of irresponsibility?

Hon Mr Elston: First of all, there is no irresponsibility here at all. In fact, the minister in charge of our real estate portfolio, the Minister of Government Services (Mr Ward), is managing in a very prudent way and in fact making sure we have the space that is available at the best price and located in the areas which allow us to efficiently administer the programs.

One would think the member for Sarnia, who used to be, in a previous incarnation, a minister himself—a ministry that was very badly managed and unable in fact to deliver the necessary assessment of the environment that was required—would be up on his feet applauding to know that the Minister of the Environment (Mr Bradley) currently has been able to put in place more staff people to take care of the problems that he left—that is, the member for Sarnia left—before his demise as Minister of the Environment.

We have put together a package of programs which is an efficient housing of the people who work very diligently to deliver the services to the people of the province. You cannot deliver services without people being employed to do so. He knows that. And that is what we have done, put together a real estate management package which lets them deliver those programs efficiently and effectively.

Mr Brandt: The estimates that I have shared with the minister do not include the costs of moving, the costs of renovation for those offices, the costs of desks or telephones or expenses relating to those employees or computer terminals. None of those costs are included in my estimate of some \$60 million in new leased space which he has taken on.

Why does he not admit openly to the people of Ontario it is because he has hired 7,000 additional civil servants, many of them here in the Toronto area? My estimates do not even take into account the expansions throughout the rest of the province. Why does the minister not try something unique and cut some of his costs instead of constantly and incessantly raising taxes?

1410

Hon Mr Elston: Mr Speaker, I told you the member for Sarnia would be telling us to cut costs. This is his "Cut costs" day, and I appreciate that. I can tell the honourable—

Mr Brandt: That is not programs. Don't mislead the people. I am not talking programs. I am talking expenses.

Hon Mr Scott: Get real.

The Speaker: Order, the member for Sarnia. Order, the Attorney General. I think it is time to pause and I would ask all members, when they are addressing the House, to address their remarks through the chair.

Hon Mr Elston: I know there is a lot of pressure on the member for Sarnia to run and I can appreciate that he wishes to tell people that he does not think that there is any relation between the number of people who work for the government and the delivery of programs, but there is. In fact, one of the important things that he fails to tell the people of the province is that we have expanded our presence in many northern locations to house people who are delivering services much closer to the people than they have ever been before, in Thunder Bay, Sault Ste Marie, North Bay, a number of areas.

Yes, we have had new leases put in place in Metropolitan Toronto, and does the member know why? Because sometimes there has been an expansion of the number of people who work for the members in this Legislature which has required us to move offices into new locations. There is accommodation required there.

But I will be quite clear: There are more people working for the civil service in the province of Ontario. Some of those come to us because we

are required to deliver federal programs like the Young Offenders Act requirements—

The Speaker: Thank you.

Interjections.

The Speaker: Order.

RETAIL STORE HOURS

Mr Brandt: My question is for the Attorney General, but I see someone sitting in his place with a bow tie on. If the Attorney General is in fact here today, my question relates to an issue that has been raised in this House on many occasions. That is the backlog in our court system. I want to ask the Attorney General, if I might, if he is aware of the length of delays that is the current situation in the Peel court system at this particular point in time. Would he share that with us?

Hon Mr Scott: If I was here, I would tell the member that I am aware of that.

Mr Brandt: Since the Attorney General was not able to make it today, perhaps he wants to give the question to someone else. My supplementary, and I want to be of help to the Attorney General and he knows this, is that with respect to Peel, the latest information I have been able to receive is that it is experiencing about a six-month backlog. It is something in the order of April 1990 when it will hear the cases that are brought before the courts at the moment.

In speaking today with the chairman of Peel region, Frank Bean, he indicated with respect to the Sunday shopping issue that without stores being fined they are going to continue to defy the law. The Attorney General is aware that not only were stores open last week, the major grocery stores in particular, but also today in some of the Toronto newspapers there are full-page advertisements indicating that they intend to defy the law again this coming Sunday.

Is the Attorney General prepared now to take what we consider to be the appropriate action, to seek an injunction to stop those openings from occurring so that he can put an end to this particular problem before it gets completely out of hand?

Hon Mr Scott: The honourable member asks about the delay in the provincial criminal court in the county of Peel. The delays there have, for almost a decade, been very substantial. We established, a year or so ago, a delay reduction committee under the leadership of Senior Judge August and, as the honourable member notes, we have brought delay times significantly under control. The problem is not solved, but enormous

headway has been made in Peel county with existing resources and additional new resources which will shortly be on stream to address the problem.

I want, while I am here, if I am here, to simply pay tribute to the work of the bar in the county of Peel, the crown attorneys, the judges and the administrators who are in stressed times doing everything they can to make this system work much more effectively than it has since the late 1970s.

With respect to the Sunday closing question, the honourable member will know that the region of Peel is applying to the court for an injunction with respect to Sunday shopping problems in its jurisdiction, and I am advised that application will be heard on Friday of this week.

Mr Brandt: The Attorney General knows full well that my question related to the delays and how they are going to have a negative result in relation to the Sunday openings and the concerns that the regional municipalities have in bringing their case effectively, efficiently and quickly before the courts.

I ask the Attorney General, in view of the fact that the chairman of Peel region has indicated his concern not only about the cost but about the delays and that other chairmen in other regions are having similar problems, does it not make sense, since he has the responsibility, which he can take up under section 8 and which we brought to his attention yesterday, to seek an injunction to stop this matter from growing as it is going to grow, since other stores are going to follow the lead that has now been taken by the grocery chains? Why does he not take the action and responsibility that is part of his office?

Hon Mr Scott: I have already tried to make plain it to the honourable member. The region of Peel has already commenced or will very shortly commence proceedings, I am advised, to exercise its powers under section 8 of the act in order to seek an injunction. Therefore, the problem is being addressed in the very way the statute contemplated.

The role of the government is to provide prosecutorial services in respect of charges. As I indicated yesterday, as a result of activity last weekend, almost 100 charges have been laid, and I repeat that we intend to take those charges seriously. We intend to prosecute to the limit of the law. We intend to ask for maximum fines and we intend to invite the court to confiscate any profits that are achieved if this conduct is judged illegal.

AGRICULTURAL LAND

Mr Wildman: I have a question of the Minister of Agriculture and Food about his comments to the Niagara Federation of Agriculture recently to the effect that protection for Ontario farm land might be eased and land made available for development, comments quoted in the St Catharines Standard on 31 October. Why is the minister preparing to abdicate his obligation to fight for the interests of agriculture and to protect farm land from the epidemic of urban development? Is the government so deep in the pockets of urban developers that it cannot stand up for agriculture in this province?

Hon Mr Ramsay: I am pleased to answer this inquiry from the member for Algoma. I wish the member had been there at the meeting in Niagara. Obviously the Niagara area land use policy is just about the number one agricultural issue in that particular region of the province. It is a region of the province where we have some of the most valuable agricultural land and at the same time have tremendous developmental pressures.

Soon the member will be seeing that this government will be coming down with a land use policy. This policy will be stronger than the land use guidelines adopted by the previous government in 1968. I feel the member will be satisfied with that policy.

Mr Wildman: This government's food land preservation policy statement was issued in 1986, almost four years ago, for comment and the minister now says it will be available soon. Where is it? Where are the new government's financial support programs that are needed to encourage new agricultural techniques and adaptation for farmers and to help cut farm debt in Ontario? Who protects Ontario farmers from this minister?

Hon Mr Ramsay: The joy that is expressed in this chamber overwhelms me. Where is the policy? It is with myself at this time. As the member is very well aware, after considerable consultation, which I think was in great need because it is a very complex issue, we are now in the final stages of discussion of this policy. The government has many issues to discuss with regard to this. When the member refers to financial programs, obviously we are now considering, in the next budget cycle as it commences, what appropriate programs might be initiated or continued in the next budget year, and those things will be announced in the spring.

1420

ONTARIO HUMAN RIGHTS COMMISSION

Mrs Marland: My question is for the Minister of Citizenship. Last week, I gave the minister the opportunity to demonstrate that he has the same integrity and ethics as his predecessor. I asked him about certain correspondence regarding a former employee of the Ontario Human Rights Commission. The minister offhandedly said that that letter was six months old, was in the past. He said all matters had been fully investigated. He said I had had an opportunity to answer and ask those questions in committee.

I ask the minister today, now that he knows that what he said last week was in fact not the facts, that that letter has not been investigated, that I have not had an opportunity to question the former employees of the OHRC, will he once and for all guarantee that we can have a full and open public hearing into the Ontario Human Rights Commission's hiring practices?

Hon Mr Wong: In response to the honourable member's question, let me point out once again that the minister and the minister's office were not charged with the responsibility of investigating interpersonal allegations or facts pertaining to specific cases. Rather the standing committee on government agencies was charged with the responsibility of looking at the Ontario Human Rights Commission and determining in specific terms how it could strengthen its performance in the future. That is where the honourable member should be addressing the particular concern she has.

If the member feels that the correspondence which she brought to my attention would be relevant, I would recommend that she present it to the chairman of the standing committee, who is a member of her own party and sits a few feet away from her.

Mrs Marland: It is incredible that this minister thinks everybody else is charged with the responsibility for what goes on at the OHRC except him. In fact, that committee, with six Liberal members, has already voted down the opportunity for former employees to come before it and answer these questions.

I ask the minister once again, based on the fact that we now know that Mr Amin and Mr Gordon, when they did appear before the committee to answer questions on their interministerial government review of the OHRC, in fact gave—I cannot use the word “misled,” so I will say they gave—inaccurate information to that committee. Is the minister not at all concerned about the fact

that his government is stonewalling this whole issue and wants it swept under the carpet?

Hon Mr Wong: The standing committee has a certain responsibility. At their agenda-setting meeting, they determined which people they wanted to hear from and which ones perhaps were not necessary to hear from. I understand the honourable member was not even present at the meeting that determined which people should attend the meeting.

Again, let me turn to the positive. I believe we should be looking at how we can strengthen the Ontario Human Rights Commission so that we can help it to maximize the equality of rights and opportunities for all people in Ontario in accordance with the mandate—

Mrs Marland: If I was the president of any company in this province which that commission came in to investigate, I would tell them to clean their own house first.

The Speaker: Order, the member for Mississauga South.

Mrs Marland: What is it you are afraid of? The truth?

The Speaker: Order. Just let the members waste the time if they wish.

PASSENGER RAIL SERVICES

Mr Neumann: My question is for the Minister of Transportation. The minister is aware that his federal counterpart, the Honourable Benoît Bouchard, announced major cuts to Via service in Ontario. In particular, he announced that the most popular, well used, early morning trains from London, Kitchener, Peterborough and Kingston into Toronto would be cut because he considers these as commuter trains.

Today I released the results of a survey of passengers on one of these trains, train 662 from London to Toronto. Results show that two thirds of these passengers are not daily commuters. Does the minister accept Mr Bouchard's argument that these well used passenger trains are a commuter service and therefore a provincial responsibility?

Hon Mr Wrye: I appreciate the fact that my colleague the member for Brantford has conducted such a thorough study and that he took the time to do this survey, which has, I think, in terms of exact numbers of responses—and I understand the response rate was over 90 per cent—shown what this government has said consistently, and that is that these are indeed intercity runs.

It is interesting to note that because the distances are over 50 kilometres, by Statistics

Canada's own definition, these are intercity runs, but the survey results, as I understand them, indicate that 34 per cent of those using the trains are commuters but that the other 66 per cent, two thirds of those surveyed, are business people on their way to and from Toronto for the day, people coming in to do shopping, to attend to other matters.

These are indeed the kinds of intercity passengers that the federal government has historically had a constitutional responsibility to serve. I intend to press the federal government, and to continue to press the Prime Minister along with members of the government, to accept these constitutional responsibilities and restore these services.

Mr Neumann: The fact is that we are facing the elimination of these trains on 15 January. The Prime Minister said, "Use it or lose it." Yet his minister is cutting the most heavily used trains on the runs I have mentioned. Will the minister meet with Mr Bouchard and convey to him our concern that by cutting these heavily used trains, he may be seriously jeopardizing what will be left of Via after January 1990?

Hon Mr Wrye: I was in Ottawa last week with the Premier (Mr Peterson) at the point at which the premiers of Ontario and Quebec made a commitment to the mayors of the corridors to continue to support the kind of intercity travel that we need.

I can tell the honourable member in the House that I intend to meet with Mr Bouchard on Tuesday next and I intend at that point to press this government's case to put a moratorium into effect so that we can take a good, long, hard look, using the royal commission or other vehicles, at the future of rail transportation services in Canada and most specifically in Ontario. That includes not only those important rail transportation services in the southern corridor but also the transportation services which are so vital to northern Ontario and which we play such a crucial role in already.

ST MARYS RIVER WATER QUALITY

Mr Morin-Strom: I have a question for the Minister of the Environment. With regard to concerns that he has expressed in the past about inaction in the United States on environmental matters, I would ask how he would respond to the fact that he has received letters, for example, from Congressman Robert Davis from the state of Michigan, with regard to inactivity by the province of Ontario in carrying out its role under the water quality agreement between the United

States and Canada to protect and enhance the Great Lakes and, in particular, inaction on the remedial action plan on the St Marys River. The Ontario Ministry of the Environment has the lead role in developing the remedial action plan, and to this point has not met its target of September of this year to provide the initial draft of that plan.

The Speaker: Question.

Mr Morin-Strom: I would ask the minister why he has not taken his ministry in the role of the lead on this RAP in providing a draft plan that would ensure the cleanup of the St Marys River.

1430

Hon Mr Bradley: I usually say, "Thank you for the question." In this case I will because it allows me to address an issue I was addressing in Detroit, Michigan, on Monday of this week when I was speaking to the Soil and Water Conservation Society. They had representatives from the state of Michigan, from Ontario and from other jurisdictions.

One of the things I mentioned was where I thought the Canadian performance and the American performance were not good and were good, and one of the areas where I want to see some considerable action and improvement is in fact the area the member has identified and is personally familiar with. We are eager to move forward in that regard.

We are eager to do it in the right way as well. When you have a very careful consultation with the local people, one of the problems is that it takes a little longer to do it, but I have found that when you do consult widely with the local people, who know the problems in the area intimately and can make some good recommendations, you get a better product in the long run.

I am as anxious as I know the member and his colleague from across the border are on this particular issue, and I am confident, as I mentioned in estimates when I was discussing this matter, that we will see some rapid movement in this area and in other areas in the very near future.

Mr Morin-Strom: I find it disturbing when we get letters from a right-wing Republican congressman of the United States saying that Ontario is holding up the process on the St Marys River remedial action plan. One specific recommendation that came from the binational public advisory council that the minister has just referred to was for an independent monitoring program for the Algoma Steel plant. That has not been acted upon by his ministry to this point.

We have another letter here from a United States Senator, Carl Levin, expressing concern that Ontario agreed to take the lead in drafting this RAP since most of the river pollution derives from Canadian sources.

The Speaker: Do you have much more there?

Mr Morin-Strom: He is expressing the displeasure of the United States at the slow rate of progress on the St Marys River RAP and Ontario's failure to meet the promised September deadline.

The Speaker: Question?

Mr Morin-Strom: Will the minister tell us what he is going to do in order to provide a schedule for the completion of the RAP, and can he assure us that he will meet the final deadline, not only for the draft but for the final completion by June 1991?

Hon Mr Bradley: I know, for instance, that on 28 November of this year, which is not far off, there is a meeting scheduled in Sault Ste Marie at which I hope a lot of these matters will be resolved. It will be beneficial in that it deals with the goals that are to be set for the remedial action plan—the remedies, the timetables and the various commitments—and I think that meeting will be very helpful.

I am always interested in hearing from people from other countries, particularly when I look at their voting record in the Congress on all environmental issues. I am always interested to hear what their comments are on this, so I will certainly be pleased on this specific issue to once again see Ontario in co-operation with Michigan. I must say that this does not happen in every jurisdiction, but we do have joint remedial action plans that we are working on with the others, and as I mentioned to the member, I like to gather as much of that information as possible so that we do a good job.

The Speaker: Thank you.

Hon Mr Bradley: I am confident that the 28 November meeting will be very beneficial and I know that the member is looking forward to the resolution of this matter in a manner that he—

The Speaker: Thank you. We will try the next questioner now.

AUTOMOBILE INSURANCE

Mr Jackson: I have a question for the Minister of Education. The minister will be aware that teachers and school boards are now beginning to realize that they are going to be forced to subsidize the no-fault car insurance scheme proposed by his government. He is also aware

that 90 per cent of automobile accident victims will not meet the proposed pain threshold set out in Bill 68 and therefore will have no redress in our courts. If a teacher is in an accident that does not result in death or permanent serious disfigurement, he or she will defer not to the courts but to the no-fault benefit schedule.

Under part IV, weekly benefits, of those draft regulations, a teacher will have to use up his or her sick leave credit gratuity, which many teachers have worked up to 20 years to accumulate, prior to receiving auto benefits. The same teacher could have a heart attack a year or two later and be completely wiped out.

My question is this: Can the minister explain why he personally is supporting this piece of legislation that in the event of an auto accident requires teachers to exhaust their benefits package entirely, which both they and the school boards have helped to fund?

Hon Mr Conway: I am pleased to support my government in the very progressive initiative that is currently before this House. I do not have any difficulty whatsoever in following the able leadership of my friend the member for Bruce, the Minister of Financial Institutions (Mr Elston), who has explained to this chamber at length several good components of the government's insurance policy. As far as the impact upon teachers is concerned, I am sure that if there are specific aspects of the government's insurance policy that teachers wish to take up with the government, they will not be reluctant to use the well-established means for bringing their concerns to my attention.

Mr Jackson: The minister's defence of his colleague is admirable. Equally of concern to the citizens of this province should be that the impact of this legislation on school boards should be better known to him and of greater concern to him.

We know this bill is going to have an impact with school boards having to come up with additional moneys, in their already strained budgets, to compensate employees who are in automobile accidents. Since the provincial share of educational expenses does not account for this increased access to this benefits package, it is ultimately going to fall on local taxpayers to fit the bill.

Now that the minister has made the statement about access to resolutions of this matter, will the minister publicly support public hearings so that school boards, teachers and employee groups can assemble the information and report back to this House so that we will understand the financial

impact this will have on employees, on school boards and on local taxpayers?

The Speaker: Order. We do not need all the reasons.

Hon Mr Conway: It ought to come as no surprise to the House that I support my friend and colleague the member for Bruce in his position and the government's position with respect to the insurance policy currently before the House. It might, however, come as a surprise for the House to know whether the member for Burlington South supports his colleague the member for Leeds-Grenville (Mr Runciman) in the latter's view on insurance policy.

I simply want to say to my friend the member for Burlington South that it is hard to take seriously the witches' brew of fantastic, hypothetical possibilities he has trotted out here this afternoon, which I cannot believe he takes seriously.

HEALTH SERVICES

Mr McGuinty: My question is for the Minister of Health. I have a copy of a letter from one Michael Hurley, the president of Local 870 of the Canadian Union of Public Employees. Mr Hurley has written regarding the quality of care at the Perley Hospital in my riding. He has indicated that budget cuts at the hospital will have a negative effect on the quality of the lives of the patients at the hospital. It has been stated by the Perley Hospital administration that the budget cuts required could result in the closure of 36 beds. Can the minister assure this House that the budget of the Perley Hospital will not be cut so that 36 beds will not be lost?

Hon Mrs Caplan: I want to assure the member that the answer to his question is yes. I know he is interested in the following information: There have been no budget cuts at the Perley Hospital. The Perley Hospital's budget was \$7.3 million in 1985-86 and this increased to over \$9.1 million in 1988-89. This represents a 26 per cent increase in three years. This year's budget is over \$9.5 million.

I want to assure the member that essential services will be maintained at the hospital and that chronic care beds will not close. He knows my priority is always the quality of patient care. If there are any specific concerns that anyone has regarding quality patient care, I will ask my staff to investigate. I want to assure him I will use the powers given me under the Public Hospitals Act to ensure that quality patient care is maintained.

Mr McGuinty: The minister will be aware that a number of my constituents are concerned about the waiting lists for chronic care patients to enter institutions in the Ottawa area. Can the minister indicate what she plans to do for those who need chronic care services?

Hon Mrs Caplan: I want to acknowledge my colleague's concern in this extremely important area. He knows that I am working with my colleague the Minister of Community and Social Services (Mr Beer), my colleague the Minister without Portfolio responsible for senior citizens' affairs (Mr Morin) and also the Minister without Portfolio responsible for disabled persons (Ms Collins) as we develop a comprehensive system of long-term care that will include individuals' independence and family and care giver support, as well as in-home services for those who can stay home.

He knows, and I know he would agree, that there are some chronic care patients who need to be in institutions, but I know that he supports, as I do, the fact that it is important for us not to institutionalize our senior citizens unnecessarily.

NORTHERN AIR SERVICES

SERVICE AÉRIEN DU NORD

Mr Hampton: My question is for the Minister of Northern Development. Last spring, the minister announced a tentative proposal to sell norOntair's Dash-8 airplanes, which provide vital passenger services across northern Ontario, to Air Ontario. Last week on 14 November in the Thunder Bay Times-News, the vice-president of Air Ontario said that Air Ontario still has an outstanding offer to purchase norOntair's Dash-8 airplanes. Can the minister tell us, is he still considering the sale of norOntair's Dash-8 airplanes to Air Ontario at this time?

Hon Mr Fontaine: I would like to thank the member for Rainy River for his question. First of all, those negotiations are being done between the Ontario Northland Transportation Commission and Air Ontario. To date, I have not received any news about the last negotiation between Air Ontario and ONTC. I was in Thunder Bay last week. Dash-8s are still flying in the area and they will continue to fly until there is a sale. We all know about it, but there are some conditions on that sale. If Air Ontario does not meet those conditions, there will be no sale.

Mr Hampton: I appreciate the minister's answer but I want to ask the minister this: Why would he continue negotiations with Air Ontario for the sale of norOntair's Dash-8s when Air

Ontario has already indicated that if it purchases the Dash-8s it will discontinue service into Kenora and Fort Frances? It has already discontinued service into places like Geraldton and Terrace Bay. Why would the minister sell those Dash-8s to Air Ontario when, based upon past experience, it already has that bad record? In view of what has happened at the Dryden air crash inquiry, why would he still be considering selling those airplanes to Air Ontario?

L'hon. M. Fontaine : Pour en revenir à la question de mon ami le député de Rainy River : premièrement, je ne peux pas comprendre pourquoi il parle en dernier de l'écrasement de l'avion à Dryden ; ça n'a rien à voir avec les Dash-8.

First, I want to tell the member that, as I told him in my last answer, if Air Ontario does not meet the proposal I asked, that it serve Fort Frances, there will be no sale. Second, last year I told the member in this House that I was trying to sell those airplanes with the lines I had in mind, Fort Frances and all that, to get money to buy new airplanes to serve the smaller centres. That is the bottom line.

ALTERNATIVE FUELS

Mr Villeneuve: To the Minister of Agriculture and Food: The minister will be aware of examples in the United States that clearly demonstrate that the use of alcohols in automobile fuels reduces harmful hydrocarbon emissions and ozone creation. Alcohols, because they contain oxygen, result in more complete burning of fuel, and fuel ethanol of course can be produced from the distilling of grains. Why did this government last February pass regulations that lower the amount of oxygen fuels can contain and therefore eliminate one use for substandard grains for fuel ethanol?

Hon Mr Ramsay: I think the member's interest in this, obviously, is to increase the opportunity for our agriculture industry in Ontario to grow alternative crops, and in this case, crops that could be developed and processed into alternative fuels to replace some of the hydrocarbon fuels we use today.

Some of the considerations that have to be made in making these decisions is the total energy used to produce these crops, such as corn which is obviously a high demander of energy as one of its inputs to produce the crop. I am very interested in alternative crops for Ontario agriculture and we have many projects under way through research in Guelph and other places that are always looking at this.

Mr Villeneuve: We must be interested not only in alternative crops, but also in alternative crop uses. It is interesting that in the United States, Colorado in particular requires at least two per cent oxygen in fuels for clean burning because of the altitude, but here in Ontario we are ready to impose fines on anyone who has more than one half of one per cent oxygen in the fuel. Can the minister tell us what sort of role alternative crop uses and fuel production from crop production will be coming forth in his plan oriented towards the year 2000?

Hon Mr Ramsay: This is the type of discussion my ministry has with the Ministry of the Environment. I have spoken to the Minister of the Environment (Mr Bradley) about this and I am glad to have encouragement from the honourable member to pursue this sort of discussion.

AGRICULTURAL INDUSTRY

Mr D. W. Smith: My question is to the Minister of Agriculture and Food. The federal government has just released a green paper, which is a discussion paper entitled Growing Together, regarding the future directions of Canadian agriculture and food policy. As I read through this document, it appears that they seem to be moving away from a supply management approach to subsidization towards a stabilization approach.

Mr Villeneuve: David, you're reading between the lines.

Mr D. W. Smith: I want to ask the Minister of Agriculture and Food what role, if any, the minister plays in developing this document and what were the minister's views on the federal green paper?

Hon Mr Ramsay: I was very interested in the reaction from the third party to the asking of this question in referring to reading between the lines. I certainly do not want to prejudge the discussion paper the federal government has published. For them, it is a catalyst for policy discussion, somewhat similar to the priority planning policy meetings we have had across the province. I attended the last one we had, last night in Ridgetown, and the critic for the third party was also there.

To further answer the question, I would say to the member that our ministry had some input in trying to discover some of the challenges facing this industry in the next decade.

Mr D. W. Smith: The federal policy review has stimulated considerable discussion with our

Ontario farmers. As well, as I have read through here, I would hope that the minister in his discussions, whether they be at a first ministers' conference or wherever, would not develop our policy ahead of the United States or European Community because it will put our farmers in a very difficult position if we have to move in ahead, and yet the other countries, these huge superpowers, are going to stay protected. What actions will the minister be taking to ensure that the interests of Ontario farmers are well represented?

Hon Mr Ramsay: We have been in touch with the federal department about this planning conference. I have been invited and have accepted to co-chair a policy session in Ottawa on food safety, an area of interest I am looking forward to becoming very highly involved in. I think it is very important that we have these meetings in concert with our federal colleagues and also other provinces. It is very important we have that input in these discussions that are going on internationally, at the binational panel in the United States with regard to some of the free trade disputes and also at the GATT discussions going on in Geneva.

1450

ADULT PROTECTIVE SERVICE WORKERS

Mr Allen: I have a question to the Minister of Community and Social Services with regard to the provision of service by adult protective service workers, particularly in the Durham region.

The minister will know that adult protective service workers provide an invaluable service to developmentally handicapped adults around the province in a direct service and in an advocacy fashion. He will also know there has been a major problem in the Durham region inasmuch as a pay equity settlement in the municipality with the adult protective service workers there has created a major financial problem for the region which only the minister can solve.

Given that through his ministry he has raised some questions about the importance of this service and the problem created by the refusal to fund to meet the additional costs of a pay equity settlement, would the minister please explain his intentions with regard to the adult protective service workers in Ontario and in this particular case?

Hon Mr Beer: As my honourable colleague mentions, there have been some concerns around the adult protective service program in Durham, and officials from the area office of my ministry

have been working with Durham region around that. We had some concerns in terms of the salary settlement that was made that other factors beyond pay equity came into that and were beyond the budget we had been able to provide for that year.

What we are looking at is whether we can continue that service with the region of Durham or whether it would be more effective to do that through a community-based organization. That is where the discussions are at the moment.

Mr Allen: We come back to the old runaround on the question of community devolution of services. It would appear that what the minister is going to do once again from that ministry is to offload an important service out of the municipality on to a community-based independent agency with the effect that the salary base levels will be worse, the advocacy service will probably be constricted and the overall service provided by the adult protective service workers would be significantly reduced, in spite of a major study which has been laid before cabinet which indicates the critical importance of this service.

Would the minister himself meet directly with Durham officials to discuss this question but also in the light of the future of the adult protective service workers' role in Ontario so that we can sort this question out and get it back at the level of delivery where it ought to be?

Hon Mr Beer: I think that our goal in terms of this program is to provide as extensive a service as we possibly can with the funds available. In working with Durham and some other centres in providing this program, we have said that we want to look at some of the models that exist in other parts of the province where we have been able to offer this service in an effective way and through community-based organizations.

If after the discussions between my officials and those of Durham it appears that there would be some usefulness in my becoming more directly involved, I would be pleased to do that. But from what I am aware of at this point in time, I think that it is best if the discussions continue the way they are going. I am optimistic that we will be able to resolve this issue before too long.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Ward moved that notwithstanding standing order 94(h) the requirement for notice be waived with respect to ballot item 29.

Motion agreed to.

PETITIONS

DIRECT GRANT PROGRAM

Mr Wildman: I have a petition signed by 24 residents of the very small township of Thompson in Algoma district. It is addressed to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the population criteria for the Ministry of the Environment's direct grant program for private water systems be forgiven."

TEACHERS' SUPERANNUATION

Mr Adams: I have a petition from a number of people in the Peterborough area. It is properly addressed and it reads:

"That in the interest of 'real reform' of pension arrangements those teachers who retired before June 1982 now begin to receive a pension based on their best five years under the same formula as those who retired after June 1982.

"That in order to encourage full partnership between teachers, organizations and government, the Superannuated Teachers of Ontario have a representative on the Ontario Teachers' Pension Board, which will replace the Teachers' Superannuation Commission."

ALL-TERRAIN VEHICLES

Mr Adams: I have another petition from people in the Peterborough area. This one concerns resolution 62.

"We, the undersigned Ontario citizens, are opposed to private members' resolution 62, which reads, 'That the government of Ontario through the Minister of Natural Resources should bring forward legislation to prohibit the use of dirt bikes and all-terrain vehicles on conservation authority lands.'"

BICYCLES AND SKATEBOARDS

Mr Adams: I have a petition here on behalf of my friend and colleague the member for Durham East (Mr Cureatz). This too is properly addressed and it reads:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To remove bicycles from public sidewalks, downtown cores, highways under city and town jurisdiction and to prohibit bicycles on school grounds or designated school areas; and,

"To designate skateboards in public areas dangerous and illegal, to be used only on private property or on specific recreational areas."

The Speaker: You have signed them all?

Mr Adams: I have signed them all, Mr Speaker.

FRENCH-LANGUAGE SERVICES

Mr Laughren: I have a significant number of petitions, too numerous to read, all dealing with the French Language Services Act.

ORDERS OF THE DAY

INSURANCE STATUTE AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance.

The Speaker: Checking Votes and Proceedings, I see that the member for Welland-Thorold adjourned the debate. Would the member have any further comments to make?

Mr Kormos: Very briefly. I am not going to be lengthy; I am going to try to sum up. There are a couple of new things that have to be mentioned, and I am going to try basically to sum up what I spoke about yesterday. I know there are other members of the opposition who are going to be addressing yet other aspects of this legislation and pointing out the horrible impact this is going to have on people across Ontario—drivers, all people from all walks of life, from all parts of the province.

I will tell you, Mr Speaker, and this is perhaps by way of benevolent warning to the government, to the Liberals sitting here in this Legislature, there is concern being expressed across the province about how the Liberals are managing this horrible little piece of legislation, this Bill 68, this new auto insurance regime that was written by the auto insurance industry in the boardrooms of that same auto insurance industry, albeit right here in Ontario, but which was designed to make profits for that auto insurance industry that those companies have never seen before in their histories. It is a payback, and I am going to talk about that once again in a few minutes.

There is a ground swell of public opinion. I am looking at an editorial in the Hamilton Spectator yesterday, and it calls for a debate on the so-called no-fault plan. We discussed yesterday that no-fault was really a misnomer because there are lots of faults that one can find with this legislation. Indeed, it is as faulty a bit of legislation as has ever been presented in this Legislature. In fact, calling it no-fault is a little

bit of fluff and puffery on the part of the Liberals here, because really it is a threshold scheme.

Yesterday we talked about what Mr Justice Osborne said about threshold schemes. He made it quite clear that what they are there for and that their impact is not to get the seriously injured people into the system but to keep injured people out of the system. That is what Mr Justice Osborne concluded while, at the request of this government, he was performing his investigation of auto insurance and its delivery here in Ontario.

1500

Perhaps it is useful to discover once again that Mr Justice Osborne said conclusively in his report in 1988, "I reject threshold no fault." That is the very sort of system we are talking about right here: threshold no-fault. Mr Justice Osborne, after consideration of it, said no, it is bad, it is wrong, it is going to hurt people. All it is going to do is pad the pockets of the private auto insurance industry in Ontario. It is not going to help drivers. It is not going to create affordable insurance. It is not going to create insurance that is provided fairly to drivers of both genders, of all ages, from all parts of the province. That is why Mr Justice Osborne said no, "I reject threshold no fault." That was in the performance of his inquiry into motor vehicle accident compensation here in Ontario.

But look again at this editorial in the *Hamilton Spectator*, which calls for a debate on what the government calls, albeit it is a misnomer, the no-fault plan. The buttons we are wearing are very polite; you have got to concede, Mr Speaker, that these are polite buttons. I thought of a number of slogans that could go on a button and none of them was as polite as this one, which says: "No-fault? Well, no thanks." As I say, that is about as polite as one could ever get when you consider the horrible impact this legislation is going to have on people across Ontario and when you recognize that this legislation is a payback.

This legislation is a payback to the auto insurance industry; it is a payback of the debt that this government and the Liberals here in this Legislature have to the auto insurance industry. It is a debt that is documented—it is no secret, quite frankly—and that makes fridges and paint jobs look like kids' stuff or small fry in the total scheme of things. We are talking about big bucks. We are talking about hundreds of thousands of dollars. That is the kind of debt we are talking about.

The editorial in the *Hamilton Spectator* yesterday, 14 November 1989, called for a debate of the no-fault plan. Let us recognize that if all this,

all of what we have been able to point out, is not enough, this government has no intention of letting people in Ontario comment on the legislation and the way it is going to impact on their lives.

Sure, after some pressure, the Minister of Financial Institutions (Mr Elston) with a wink and a nudge—and I guess the old saying is, a wink is as good as a nudge to a blind man—says, "Oh yes, we'll have hearings." But what he has not said yet is that we will have committee hearings to consider this legislation, to hear from people in Ontario; that they are going to make sure that the folk from North Bay are going to be heard as thoroughly and as completely and as readily as the folk from Welland-Thorold down in the Niagara Peninsula.

The minister has not yet said that the committee is going to be allowed to hear from people across Ontario in communities, cities, towns and villages, from the north to the south, from the west to the east. He has not said that. Why has he not said that? Because he does not want to hear from these people.

Quite frankly, if he thought he could get away with it, I have no doubt that he would rather this whole process were quite a secret one and without any comment or debate at all. Indeed, the speed with which these people want to ram this legislation through generates, and should generate, a great deal of suspicion. That was emphasized when the Minister of Financial Institutions made his comments yesterday. He is talking about speeding this whole process up, ramming this through, just slipping it past the public, because he knows, as the rest of this government knows, that the more and more that people across Ontario become aware of how bad this legislation is, the more they will realize how dangerous and cruel it is.

We talked yesterday about how cruel it is, because we talked about fairness; we talked about what fairminded people would tolerate. I know that you, Mr Speaker, among others here yesterday, sat as a fairminded person and, I am sure, shuddered at what this legislation holds in store for drivers and people of all shapes and sizes across the province of Ontario, recognizing that it is designed, not to help least of all innocent injured accident victims but to generate profits never before seen by the private corporate auto insurance industry.

Among other things, we know that we are talking about a gift here, an involuntary gift from the taxpayers of Ontario. We are talking about in excess of some \$140 million that is being handed

over, if this legislation passes, to the private corporate auto insurance industry here in Ontario. That is taxpayers' money. Where is that coming from? We know where it is coming from. In this bill the government advances the first \$90 million, give or take a few. When these guys talk about bucks, to say give or take a few million really seems nothing. I have nothing against drunks or sailors, but quite frankly, these people, the Liberals here in this government, often can spend money like drunken sailors, especially if it is not theirs, if it is taxpayers' money.

Indeed, they are doing it with taxpayers' money here. They are picking the taxpayers' pockets of Ontario, first of all, to the tune of \$90 million and change and giving that as a gift, a freebie, to the auto insurance industry; and then there is the scam in the OHIP system for another \$40 million or \$50 million. So the total figure is up around \$143 million. We will not really know how painful it is going to be until after it happens, but that is why we are here: to make sure it does not happen because fairminded people in Ontario will not let it happen.

The editorial in the *Hamilton Spectator* yesterday, 14 November 1989, called for a debate of the no-fault plan. The author of that editorial knows the minister has no intention at this point of letting that committee hear from people across Ontario. He has no intention of letting all those people who want to comment on this legislation speak out at the committee in response to the legislation—no more so than the government had any intention of having a consultative process in gear when it came down to Bill 162, the workers' compensation legislation which it rammed through this Legislature a little while ago, and no more so than it had any intention of having real consultation with the Canadian Bar Association, the Advocates' Society and the Criminal Lawyers' Association when it came down to Bills 2 and 3 being in the standing committee on administration of justice.

The *Hamilton Spectator* speaks for a whole lot of people when it says to debate the no-fault plan. I will read this for members because it is only yesterday's paper, and I know that not all of us here have a chance to get the *Spectator*, but it is written in that editorial, "Premier Peterson's government, understandably"—you bet your boots, "understandably"—"is in a hurry to rush through the no-fault car insurance law." Sure they are in a hurry to rush it through. They are in a hurry to rush it through so that the outrage that is experienced by every single person who comes to realize what this legislation is about will not be

allowed to ferment and develop in communities across Ontario.

They are in a hurry to rush the no-fault car insurance law through so that it can be in force in the new year. But with the wisdom that is so obvious, this same editorial states, "But it would be a mistake to pass flawed legislation just for the sake of speed and bookkeeping convenience." You had better believe it that it would be a mistake, and you had better believe it when we talk about this legislation being flawed. The editorial in yesterday's *Spectator* says "it would be a mistake to pass flawed legislation just for the sake of speed and bookkeeping convenience."

The editorial goes on to praise the leader of the third party: "Andy Brandt, the Conservative interim leader, is right to demand a committee study the plan"—just as we have all along, Mr Speaker, and the editorial mentions "hearings to collect evidence and comments from people across Ontario." The editorial says, "That would be a wise investment and a safeguard."

It is a long-standing, traditional safeguard, so fundamental a democratic safeguard, yet the Minister of Financial Institutions has no interest in seeing that safeguard put into effect because we have not had the pleasure of hearing the minister indicate yet that he is going to let people across Ontario comment on this badly flawed legislation. We have not heard from the Minister of Financial Institutions yet that he is going to let the committee process operate fully and democratically and hear from people from every city, village and town in Ontario. My vision of the Minister of Financial Institutions is of him sitting over there with his jackboots on; that is about how much respect he has for democracy when it comes down to this bit of legislation.

1510

I join with the editor of the *Hamilton Spectator* in calling for hearings to collect evidence and comments from people across Ontario. That is so basic. How could any fairminded person not agree that is what has to take place before legislation like this is dealt with in its finality here in the Legislature?

The editorial goes on to say, "On the face of it, the no-fault system"—this Liberal government no-fault system—"appears attractive." It goes on in the next paragraph to say:

"However, some worrisome questions have been raised, mostly by lawyers. They admittedly have substantial self-interest in insurance legislation, but that alone doesn't blunt the points they've raised.

"One is that the compensation schedule for lost income due to accident injury is inadequate and would drastically lower living standards for the disabled."

The editorial in the *Hamilton Spectator* recognizes what we have been saying in this Legislature for some time now. It recognizes that no working person in Ontario will be permitted to receive his or her full wage replacement, even if he or she is an innocent injured accident victim; even the innocent. No single innocent injured accident victim in Ontario will be permitted to receive his or her full wage replacement—and he or she has been injured at the hands of a drunken, reckless, careless, negligent driver—because of the legislation that the Liberals want to ram through.

That is one of the worrisome questions, that it is inadequate. Quite frankly, the ceiling, the maximum—the complete, absolute, total maximum—is \$450 a week, and we know that \$450 a week for a family of four here in the city of Toronto is below the poverty level. So we have a scheme here that oh so clearly favours the auto insurance industry, that is going to force families, that is going to force little kids, into poverty, the families of innocent injured accident victims. Innocent people are going to be forced into poverty at the hands of this government and its scheme, which is designed to put big profits into the pockets of the auto insurance industry. Shame.

The editor writes, "One"—worrisome point—"is that the compensation schedule for lost income due to accident injury is inadequate and would drastically lower living standards for the disabled." He goes on, "Another is that many people might not be able to afford supplementary income protection insurance."

That is something the minister has been tossing about more than occasionally here in the Legislature. He is as much as conceding the gross inadequacy of this legislation, the absence of any real protection for innocent injured accident victims when he says, "Yes, but you can buy extra insurance, extra coverage for all sorts of things." That puts the big L for big lie on any suggestion that rates are going to be controlled even to the extent that the minister appears to suspect, because we have not heard any concrete terms in that regard. In fact, rates are going to climb and climb, and the minister is conceding, confirming and guaranteeing that what people are going to have to pay for insurance coverage is going to be just out of this world. It is going to be sky high. It is going to be like something in their

worst nightmares that they have never dreamed of.

You will recall, Mr Speaker, I presented to the minister some comments by Don McKay, the general manager of the Facility Association, to the effect that the ranks of the Facility Association are going to increase, are going to expand, especially if this legislation was passed as it now stands. Why? Clearly, first of all, the Facility Association ranks of Ontario drivers have more than doubled in the last year. The Facility Association, as we know, is that pool for high-risk drivers, but by virtue of having doubled in the last year in identifying many of those drivers who have been forced into Facility, which costs thousands of dollars—not hundreds of dollars, but two, three and four times what insurance costs in the regular market—we know that good drivers have been forced into Facility.

We are told by Don McKay, the general manager of the Facility Association, that it is going to get worse, not better, if this legislation is passed. Why? Because as he explained to us, the insurance industry is going to start using avoidance techniques for certain classes of drivers, especially for certain occupational classes of drivers like seasonal workers, like self-employed people, like senior citizens, like so many of those people who constitute the volunteer armies here in Ontario.

Let's talk about that for just a minute. Let's talk about what this is going to do to the hundreds—not hundreds, thousands; no, not thousands—to the tens of thousands of dedicated, committed, hardworking volunteers here in the province of Ontario who give so freely of their time and energy and skill in communities across the province and in causes from A to Z.

As the members know, many times those volunteers happen to be senior citizens who are retired, who do not have jobs. It is the fact that they are enjoying the pleasures of retirement that permits them the time to engage in this volunteer activity. That is, quite frankly, the typical volunteer. Those people are among the classes of people who are going to be denied insurance coverage by auto insurance industry here in Ontario once this legislation is passed.

Do you know why, Mr Speaker? I am going to tell you why. I know you know why, but you have got to be the Speaker and I am the one doing the speaking.

Mr Ballinger: Is that what you call it?

Mr Kormos: I know you know why, Mr Speaker. Gosh, do you know what I did today? I

hear the member for Durham-York (Mr Ballinger) cackling again.

Now, I tell members, the Liberals have got a big majority, and they can play around with the public right now with that big majority, but there is going to be a general election at some point in this province, and the people of Ontario are not going to forget—least of all for people like the member for Durham-York, who won by a mere plurality of 482 votes back in the general election of 1987. I tell the member for Durham-York he better mind his P's and Q's because he did not enjoy that healthy a plurality, did he? A mere 482 votes; he should be a lot more careful. Listen—

Mr Ballinger: Do not worry about me. I will be back.

Mr Kormos: If I were a betting man, I would give odds on that—healthy ones, healthy ones. We are talking about volunteers who are going to be turned into victims because of what the Liberal government and the private auto insurance industry is doing to them with this bill, Bill 68, right here, right now; turning volunteers into victims. Forcing those good people, who volunteer for hundreds of causes—do I have to list them? I mean the Red Cross, volunteers who transport cancer victims to and from treatment, people who deliver meals on wheels to the elderly, Big Brothers, Big Sisters, people who volunteer with minor hockey, baseball, basketball teams and leagues in communities across Ontario.

These volunteers are going to get turned into victims. These volunteers, as often as not, will be among those classes of people upon which, as we were told by Don McKay, the general manager of Facility Association, the private corporate auto insurance industry, once it gets its way with this legislation, is going to start using avoidance techniques. The volunteers being turned into victims; it is a shame.

Small business people, and we talked a little bit about this yesterday, small entrepreneurs, people who work hard, people who, as often as not, do not work 40-hour weeks or 50-hour weeks but work 60- and 70- and 80-hour weeks, and who make significant contributions to the economies of their communities; communities like the ones I come from, Welland and Thorold in the Niagara Peninsula; communities like the ones every single member of this Legislature comes from. Small entrepreneurs are going to become victims if this legislation is passed.

Why? Because they are among the classes of people upon which the auto insurance industry, if it gets its way with this legislation, is going to be

using avoidance techniques. Just as Don McKay said, the general manager of the Facility Association, in his third quarterly newsletter, October 1989: "They are going to contribute to that ever-accelerating swelling of the size of the Facility Association that has more than doubled in the last year and is going to continue to grow and grow and grow with good drivers who are being denied insurance coverage by the regular private automobile corporate insurance industry."

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Well, to carry on with the editorial, because the last statement that I had referred to in the editorial was the comment by the author to the effect that many people might not be able to afford supplementary income protection insurance and that that is backed by the Facility Association which insures the hard-to-insure at high premiums.

The next paragraph is an interesting comment. It warns this government, "Before locking Ontarians into a new system that may contain some nasty surprises"—nasty surprises, deadly surprises—"the government should open up the proposed no-fault program for public examination and discussion." What a simple and basic request, what an essential and integral part of the democratic process and what an affront to the democratic process for this government to deny the right of people across Ontario to be involved in a public examination and discussion of this legislation.

Well, there is good reason for it; you better believe that, Mr Speaker. There is good reason for it because this legislation is not designed to withstand the scrutiny of drivers and members of the public across Ontario, of course not. This legislation was designed to be forced through this Legislature as quickly as possible before people found out what was happening to them and what was going to happen to them so that the big payback to the private corporate auto insurance industry could take place.

I say that it is a shame and it is sad, and it is a sad day for the province that democracy and a traditional long-standing democratic process like open, public committee hearings should be ground under the heel of a Minister of Financial Institutions who does not want to serve the public of Ontario but very clearly wants to serve the interests of the auto insurance industry here in Ontario.

The editorial goes on, "Before locking Ontarians into a new system that may contain some nasty surprises, the government should open up

the proposed no-fault program for public examination and discussion."

The editorial in the *Spectator* goes on to read, "No doubt, the exercise would slow down the government's schedule." That is conceded, but haste in this instance is not what is going to serve the interests of people in Ontario.

"No doubt the exercise would slow down the government's schedule and risk another round of steep premium increases." Now, I have to comment on that. Steep premium increases, holy cow, because there was a freeze on premiums back in 1987—a freeze—yet this editorial for some reason says, what?—"another round of steep premium increases." Well, that is what this freeze by this government has been all about, a whole succession of steep premium increases. Reflect back, Mr Speaker: 4.5 per cent, another 4.5 per cent, that comes to 9.2, and now 7.6 and then to boot you have the old premium shuffle work in there, the old premium flip.

The owners of apartment buildings have been doing it for a long time now so now we have auto insurance companies here in Ontario pulling off the very same scam. Scottish and York: Thousands and thousands of drivers insured by Scottish and York are being told, "Well, your policy isn't going to be renewed," and this government has not got the guts or wherewithal to enact legislation to make sure that the insurance is available to people and drivers here in the province of Ontario. It says: "Your policy is not going to be renewed, but I will tell you what we are going to do. Just walk this way, walk down the hall because we have got an insurer for you called Victoria," and lo and behold the premium that Victoria is charging to the very same driver for the very same cars is 20, 30, 40, 50, 60 per cent higher than what it was under Scottish and York.

My goodness, it is an entirely effective way to circumvent the so-called 7.6 per cent cap or premium increase freeze. And do I have to say the punch line—I guess it is inappropriate because it is not funny; it is sad—the punch line is that Victoria Insurance just down the hall from Scottish and York has the very same owner, the very same president, the very same signature, the very same address, the very same secretary, but a far cry from the very same premiums.

What a slick move. It is the premium flip and it is being done to thousands of drivers here in the province. It has been done to thousands of drivers here in the province of Ontario. This government knows it has been done to them. This government has condoned and tolerated that it has been done

to them, and it is going to keep happening. It has made a mockery of any prospect of premium or rate freezes.

The authors of the editorial in the *Hamilton Spectator* know that full well when they write, "No doubt the exercise" of democracy, public examination, public comment and public discussion on this scheme, this new regime being proposed by these government members on behalf of the private corporate auto insurance industry, "would slow down the government's schedule"—and this, as I say, is so pithy an observation on the part of the editor—"and risk another round of steep premium increases."

These guys are not fooled—4.5, 9.2, 7.6, darned right, those are steep premium increases and they all occurred during the so-called freeze. Wow. But the editorial goes on to read, "But that might be cheaper and safer in the long term than exposing people to ruin through flaws that the government didn't notice or fully evaluate." Editorial writers sometimes have to be careful because the editorial writer here says people are going to be ruined "through flaws the government didn't notice or fully evaluate." I will add one more to that—and did not care about.

But the editorial goes on to say, "At least the questions raised by the new plan's critics should be answered in an impartial forum." That is exactly what the minister wants to avoid. That is exactly what he will go to any lengths to avoid doing, to having wide-open, full, public hearings at the committee level about this legislation. I tell the members, that is all I ask of the government at this point, to participate in that gesture of confirmation of a long-standing, democratic process—the committee; the committee that travels across Ontario so that people from the farthest north and from Toronto as well, from the farthest east and from Windsor as well, can look at this legislation, talk about it, think about it and tell the government about it through its committee. That is all we are asking for.

Obviously, when we ask for that, we are not alone, when there are those in the government like the Minister of Financial Institutions, who declined to do it, notwithstanding that people are going to be ruined through the flaws inherent in this legislation. Is that hyperbole? No.

Let's use once again—I know the government does not like it when we talk about small business people and how they are going to be ruined by this legislation—but we talked yesterday about the small businessman who, after years of hard work, was making \$50,000 a year income, but who was injured at the hand of a drunken,

reckless, careless or negligent driver—take your choice—but was an entirely innocent victim suffering, let's say, broken legs or a broken back. He is prevented from working in his business for a recovery time of a year or a year and a half.

Notwithstanding that he clearly earned an income of \$50,000 a year from his business that he had worked so hard to develop and establish in his community, and notwithstanding that his inability to work at that business for the year and a half constitutes a loss, a real loss, a genuine loss, a measureable loss, a pecuniary or economic loss of \$75,000, what compensation is there going to be for that person through the insurance companies' scheme?

For the pain and suffering of broken legs or a broken back that takes a year or a year and a half to recover from, compensation under what this government wants to impose on the people of Ontario for pain and suffering is not a cent, not a nickel, not a dime, not a penny. Zip, zero is how much compensation that businessman or businesswoman is going to get for what is an unenviable and, for so many of us, an unappreciable level of pain and suffering and loss of enjoyment of life; not a nickel.

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Economic loss: \$75,000 of income, a year and a half recovering that he or she has not been able to work at that business. Are they going to get \$75,000? They are innocent. They did not do anything wrong. They were victims. Are they going to get a single penny? They will get the maximum \$450 a week and not a penny more, notwithstanding that their actual loss is \$75,000.

You will recall, Mr Speaker, that same business person suffered, as one could expect—and that is why I say this is an entirely reasonable illustration; incidents like this are happening regularly across Ontario, across all of Canada, incidents of a person who cannot work in his business, because we are talking about small business people here, the types of entrepreneurs that we in this party, the New Democratic Party, have always supported and encouraged, small business people.

When you are a small business person, being out of commission for a year and a half can and so often would lead to the bankruptcy of the business. This same person, this innocent injured accident victim, gets not one penny for his broken legs or his broken back suffered at the hands of the drunken or reckless or careless or negligent driver, who receives less than one half of his real economic or pecuniary loss, then suffers a bankruptcy. He or she has to spend the

next five years recovering from that catastrophe, that disaster, and it takes another five years before that young, or whatever age, business person restores his or her business status in the community back to the point where he or she is making that same income. Is there any compensation for that lost income over that five-year period? You guessed it, Mr Speaker: not a penny, not a cent, not a nickel, not a dime, zero, zip.

A question to be asked is, is that fair? Is that humane? Is that the sort of standard we have in our society? Of course not. Only the most mercenary approach could ever result in a scenario like the one I have just described. I tell you, Mr Speaker, it has to be something akin to blackmail. I do not know what it is that the insurance industry has on this government but, boy, is the insurance industry ever pulling the strings. That is so apparent.

This editorial is one of what will be many editorials across Ontario calling for this government to engage in a little bit of democracy, a little bit of consultation with the public, a little bit of making sure that people in cities, towns and villages across Ontario have an opportunity to comment on this legislation.

You know what, Mr Speaker? If the minister would pass me a note right now that said, "Of course, this committee is going to be permitted to travel and hear from as many people as want to address it," on the understanding that he would get up and announce it right now, I would say, "Let's get on with it."

I tell members that what is going to happen if this government gets its way is that the committee is going to sit here at Queen's Park for a day, two days, maybe three days, the same type of consultation that took place with Bill 162 and the workers' compensation legislation, the same kind of consultation that took place with Bill 2 and Bill 3 in the court reform legislation. Consultation, my foot. It is called ramming it down the throats of the public and the drivers of Ontario.

We talked a lot about the legislation really being not no-fault but threshold legislation. We talked about what the Honourable Mr Justice Osborne had to say about the Insurance Bureau of Canada and its request, its proposal. We know that what the insurance companies wanted is not as much as what the government is prepared to give them, that indeed the insurance companies, through the Insurance Bureau of Canada, requested and proposed a threshold that would exclude, in their submission, 92 per cent of

innocent injured people from receiving any compensation here in the province of Ontario.

We have learned that that threshold, being the threshold that is applied in Michigan, indeed excludes 94 per cent in the state of Michigan. The threshold being proposed as an incredible gift to the insurance industry by this government, being more onerous, more rigid and more restrictive than what the insurance industry itself asked for, is going to exclude in excess of 94 per cent and perhaps as many as 95 per cent to 99 per cent.

Let me tell members once again what Mr Justice Osborne said. Mr Justice Osborne is the one who said in his report, "I reject threshold no-fault." Mr Justice Osborne said this: "It is plain that the IBC (Insurance Bureau of Canada) threshold is designed to keep claimants out of the system for cost reasons, not to let the seriously injured in."

He said that after thorough examination and consideration of that system. It is the very kind of system that this government wants to impose and wants to force on people here in Ontario right now. We talked about a whole lot of people who are going to be hurt real bad under this new regime being imposed on people in Ontario.

Let's talk about some more people who are going to be hurt real bad. Let's talk about some more people who have a strong interest in having an opportunity to participate in a very simple and basic democratic process, the process of participating in committee hearings sitting in communities across Ontario.

We can go through a little bit of a list now, because I know that the minister would love to be able to comment on these classes of people. The minister knows that union members are going to be hurt real bad by this legislation. Union members are going to get a screwing that they have never had before in their lives from this government, or from any other government; I tell you this, Mr Speaker. It is true. I am not sceptical.

Unions represent large numbers of industrial workers and other workers here in the province of Ontario and have negotiated substantial income replacement benefits for those workers, their membership and pension benefits for those same members. What happens in this new regime, this scheme that is being imposed upon drivers and the rest of the public in Ontario by this government and by the private auto insurance industry, is that the benefits that workers have earned and struggled for, really a part of their earned pay package, are deducted from the no-fault benefits that they would be accorded.

This is remarkable, just a little bit more subsidy. These guys have spread the great myth for so long about subsidization of insurance systems, a myth when it comes down to driver-owned, public, nonprofit auto insurance systems out west but a reality right here in Ontario when it comes to private corporate auto insurance systems. This is going to be the most thoroughly and completely subsidized auto insurance system in all of the western world, and it is a private, corporate auto insurance system.

Subsidies? Let me tell members, unionized workers in the province are being told, "You are going to have subsidize your insurance system with your income replacement benefits and pension benefits, part of your earned pay package."

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And you know what, Mr Speaker? What we are talking about in this regard is the so-called no-fault benefits, the ones that really cannot be called no-fault because you can find so much fault with them it is just remarkable.

But what Osborne noted is that in places that have this kind of no-fault—and we have experienced it here in Ontario from 1972 on, when we have had schedule C, section B benefits, so-called no-fault benefits—there is a considerable amount of first-party litigation. What that means is litigation—litigation is suing—in which an ensured person sues his own insurers, usually over the nonpayment of the no-fault benefits.

You know what, Mr Speaker? It is a long time overdue that they have been increased from \$140 to \$450, and if you think insurance companies were reluctant to pay those no-fault benefits out to injured people before, when they were only \$140 a week, just watch when they are up to \$450 a week. I said yesterday that the insurance industry is notorious for its short arms and deep pockets.

Union members are going to be hurt real bad by this legislation, and they are the people who want an opportunity—a very basic, fundamental, simple opportunity—to address the legislation before a committee that travels across Ontario permitting them to appear before it. That is all that is being asked for, a little bit of democracy here.

Union members, workers in general, all working people in Ontario are going to suffer, going to be hurt real bad, going to be hurt cruelly by this Bill 68, by this insurance companies' legislation, because we know that nobody is going to get more than 80 per cent of his lost

earnings, and even that is up to a maximum of \$450.

Let's talk about the worker who makes \$700 a week, who is injured and unable to work and who, the government would have us believe, is going to be entitled to speedy no-fault benefits, just as long as he does not have to litigate for them, as Mr Justice Osborne said happens in other regimes, other jurisdictions where you have the same type of system.

Let's talk about the worker who makes \$700 a week, who cannot work, who has lost his earning ability as a result of a motor vehicle accident. That worker will lose \$250 a week for as long as he or she remains disabled, because this is not wage or income replacement; this is a ceiling, \$450 a week. The worker who earns \$700 a week will lose \$250 a week, week after week, for as long as he or she remains disabled.

Now, the Minister of Financial Institutions, it seems to me, is talking through his hat when he suggests, "Well, folk like that worker who earns \$700 a week should be buying extra insurance." Once again, so much for the so-called eight per cent that we are told insurance is going to increase for drivers here in Ontario this year as a result of this new plan. Horsefeathers, Mr Speaker, because that certainly does not take into account that extra insurance he has to buy, does it? Even at that, no insurance company will sell that person insurance to cover his full loss of earnings, and as we clearly know, that extra coverage that he might choose to buy will cost that person an additional premium. It will cost him an arm and a leg, Mr Speaker.

I know we talked about this yesterday, but we talked about how that \$140, the schedule C, section B no-fault wage replacement has been in effect in this province since 1972 and was upgraded to a \$140-a-week wage replacement. That part of it was upgraded to \$140 a week in 1978. It remained \$140 a week in 1979, 1980, all the way up to the present. That is what it is, \$140 a week. The one distinction about that and what the government wants to ram down people's throats is that the worker who loses his or her ability to earn income, regardless of fault, gets that \$140 a week, but can then, if he or she is an innocent victim, look to the negligent, drunken, careless, reckless party to make up the difference.

What this government is doing with the legislation that it is putting before this House right now is protecting that same drunken, reckless, careless, negligent driver by saying that he or she, the drunk driver, the reckless driver,

the careless driver, the negligent driver who breaks people's backs and legs, will not be liable for the shortfall in wage replacement.

Had that \$140 been indexed so that automatically every year, based on a legislated formula, it increased to a figure that was a proper figure, an adjusted figure for taking into consideration inflation, we know that figure would be reasonably close to \$450 right here and now, today, in 1989. But the government did not index the \$140 back in 1978, did not index the original figure back in 1972. As was said yesterday, that could have been oversight. It could have been purposeful and cruel, but to give the benefit of the doubt, it could have been oversight.

It certainly is not oversight in this instance, because the government has been reminded of that shortcoming of the old schedule C, section B benefits, the \$140 a week no-fault wage replacement that has been here since 1972, time after time. Do you think it is indexed now? Not on your life. So, within literally months of this legislation becoming law—a sad day that will be—that \$450 is going to become less and less as the months and years progress.

Let's talk about another group of people here in the province of Ontario who are going to be hurt real bad by this legislation, who have real good reason for wanting this government to engage in just a little bit of democracy; not just democracy, a little bit of decency, letting people in cities and communities across Ontario make comments to a committee that travels across the province to hear those people make submissions about this legislation.

Another group of people who are going to be hurt real bad are school teachers, Mr Speaker. Let me tell you why. School teachers, it is a fact, have substantial sick pay plans. Under this legislation that the auto insurance industry wrote and that the government is trying to ram through this Legislature, sick pay plans have to be used up before the no-fault insurance pays anything. Members might recall that yesterday we talked about the teacher who had accumulated, through her hard work and through not having exhausted the sick days, some 40 weeks of sick days and was seriously injured, an innocent accident victim of a drunken driver or reckless driver or a negligent or careless driver. That school teacher was forced to use up every day of that 40 weeks of accumulated sick leave.

What we know is that to accumulate 40 weeks of sick leave, you have to invest more than a little bit of time in your profession as a school teacher, and when you have exhausted it, you no longer

have that bank of sick days that will accommodate you in the event of a serious illness or in the event of heart attack. This scheme really attacks, assaults schoolteachers and people like schoolteachers, because sick pay has to be used up before the no-fault insurance pays anything.

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We talked about the schoolteacher who had accumulated 40 weeks of sick pay. Let's talk about an injury to a teacher who is an innocent injured accident victim, who is off work as a result of that injury for six months. That teacher who uses up the six months' accumulated sick pay receives nothing in no-fault benefits. An innocent victim of a drunken driver, off work for six months, gets not a cent because that person has had to use up the sick pay that he or she has earned in the course of doing his or her job and doing the job well.

Now let's suppose that same teacher then goes back to work, misses time because of, as I indicated, the flu or a heart attack or any one of many illnesses that we all should be concerned about. That teacher had used up all of his or her accumulated sick pay because of an accident that was somebody else's fault; that same teacher will get no pay during his or her absence from work due to sickness. I ask you, Mr Speaker, is that fair? No, we know that is not fair. There is not a fairminded person in Ontario who is going to say that is right, that is proper, that is the way it should be.

We have talked about how self-employed people, small business people are assaulted by this legislation, how they are hurt real bad by this new insurance regime that the Liberals are trying to impose on drivers and the public of Ontario, how they are hurt real bad by legislation that, "Oh, yes," the minister says, "It is made in Ontario." You bet your boots it is made in Ontario. It is written in the boardrooms of auto insurance companies in Toronto, Guelph, London and wherever else they might be situated.

Let's talk about small business people, entrepreneurs. Oftentimes, and we know this, small business people will put their profits back into their business and the income that is taken out does not really represent what is being built there, what is being earned on an annual basis. Now if a small business person, even as an innocent victim in a motor vehicle accident, is disabled from working as a result of that accident, all he or she gets is 80 per cent of the gross weekly income. We know if it is a new business, he or she may have no income from it yet. In that case, what does that person receive

out of this no-fault scheme—this no-fault scheme that really is not a no-fault scheme, because you can find lots of fault with it—what does that small business person get? Nothing, not a cent, not a nickel, not a dime.

We talked about the business person who is off and unable to work for a year and a half and who loses the business. Once again, this scheme that the Liberals are trying to ram through this Legislature in the most undemocratic way, the one that they do not want to go to committee—Mr Speaker, they do not want this legislation to go to committee. They do not want this legislation to be commented on by people across Ontario. If they did, they would say so.

If they did, they would stand up and say: "This legislation is going to committee and that committee is going to hear as many submissions as there are submitters to appear before it. That committee is going to travel across Ontario so that people from every part of Ontario can comment on this legislation." Unionized workers who are going to be hurt real bad by this legislation, schoolteachers who are going to be hurt real bad by this legislation, small business people who are going to be hurt real bad by this legislation, in a democratic system, should all have an opportunity to address the committee in their home town and let the government know how badly this legislation is going to hurt them and their families, their children and their spouses.

We talked yesterday about the small business person who is forced into bankruptcy because he or she became an innocent motor vehicle accident victim. That small business person may well be able to prove that he or she lost a substantial business deal because of the injuries. Does this scheme, which puts big profits into the pockets of the corporate auto insurance industry, provide compensation for that? No, there is no compensation for that, not a cent.

That is why small business people in Ontario want to participate in what is a traditional and basic democratic process of having a legislative committee go across the province, hearing submissions from interested persons, from interested groups, from people who are going to be affected by this legislation, people like small business people, people like schoolteachers, people like unionized workers.

Farmers. I can tell you this, Mr Speaker, farmers are going to really suffer. Farmers are going to be hurt real bad. Farmers are going to have the life squeezed out of them by this legislation, by this Bill 68, by this new auto

insurance regime that the Liberals want to force through the Legislature. Why? Because they are self-employed people who, quite frankly, seldom have much provable income. Their earnings are to a large extent absorbed by the farm rather than going into their pockets.

It will be very difficult for a disabled farmer. We are talking about people such as folk down in the Niagara Peninsula with vegetable farms, with vineyards—and we know that the vineyards are being paved over—with fruit farms, with cattle and other livestock farming operations. It is going to be very difficult for these farmers, if they are innocent accident victims, to qualify for much of a benefit, if any. If a farmer has to hire somebody to help out with the inevitable farm chores, the no-fault system pays nothing for this. That is what they call it. “No-fault.” Some no-fault.

Have we not hurt our farmers enough in this province without striking another blow against the hard-working men and women who produce the food we eat? Really, they deserve better than what this government has given them in this legislation. There is not a fairminded person in Ontario who would think it is okay to do what this legislation is going to do to farmers.

Students. We have seen students a whole lot in this Legislature recently, have we not? This government has kept community college teachers out on strike for four weeks because it was unprepared to adequately fund the community college system, and it knows that. Over 8,000 teachers out on strike for the last four weeks here in Ontario.

Mr D. W. Smith: We didn't keep them on strike, Peter. What are you talking about?

Mr Kormos: If the member wants to talk about the community college system, I can tell him about community colleges, because we have Niagara College right down in Welland-Thorold. Niagara College has had to shut down its theatre arts program; Niagara College has had to shut down its dental hygiene program; it has had to lay off a whole bunch of teachers and support staff. Why? Because it was underfunded, because the poor student funding by this government—

The Acting Speaker (Mr Breagh): I do not mean to intervene in any member's right to say whatever he wants for as long as he wants, but I am going to direct your attention to standing order 23, which covers the rules of debate in the chamber. I am going to also point out to members that the decision as to whether or not you are being repetitive is, among other things, the kind of decision the Speaker has to make, and those

decisions are not open to a challenge any more. So I am not casting any aspersions on anyone, but I am pointing out to you that we do have standing orders which cover the situation, and members should be mindful of that when they engage in debate.

Mr Kormos: I thank you for that direction, Mr Speaker. I value it. I know that you were paying close attention, because oftentimes the distinctions are subtle and it takes a quick mind to recognize those distinctions. A dullard, for instance, would say, “My goodness, you are being repetitive,” when in fact one is illustrating a succession of subtly distinctive examples. So I appreciate the skill and the talent that the Speaker brings to the chair and the attentiveness with which he is treating my comments.

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These students, the students who sat right here in the galleries of this Legislature, telling this government: “You have been underfunding our school system. You don't care care about students in Ontario”—I tell you, Mr Speaker, they were right. Teachers went back to work today, but not through anything this government did. This government had plenty of opportunity to do all sorts of things to resolve the conflict between teachers and the community colleges here in Ontario, like footing the bills, like paying the bills, but the government did not. It was only through the goodwill of those community college teachers that they were able to negotiate a quasi settlement and get themselves back in the classroom so that tens of thousands of those kids, those community college students across Ontario, are back in classes this week.

It is clear that this government does not give a tinker's damn for students. If you need another illustration of that, Mr Speaker, let's talk about what they are doing to students in this legislation. A student, under this so called no-fault scheme—it is called “no-fault” but it really is not—is entitled to a weekly benefit of \$185 if, if, if, the big if, if he or she is over 16. What that means is that students under 16 are ignored.

If you get injured real bad in a motor vehicle accident, if some of these pages here for their first week at Queen's Park, were to get injured, were to get a broken leg, let's say, in a motor vehicle accident where it was not their fault, where a drunk driver ran them down, why the biggest chunk of them—I suspect any one of them—would not receive a penny, not a nickel, not a dime, because they are not 16 yet. Do they suffer any less? No. Does it hurt any less? Is it any less sad for one of these fine young people to

be run down by a drunk driver and suffer broken bones than it is for a student, a youngster over 16? Of course not.

A student is entitled to that weekly benefit—we have got to do this very carefully—of \$185, one, if he or she is over 16, and two—and this is the catch, this is what generates all that litigation. Boy, the lawyers are going to be busy when this legislation is passed because there is going to be all this first-party litigation that Mr Justice Osborne talked about in the Osborne report. There are going to be all those people who are having to sue their own insurer, the people who have to sue their own insurance company because that insurance company does not want to live up to its responsibilities.

A student is entitled to a weekly benefit, one, if he or she is over 16 and, two, if as a result of the injury, he or she is unable to perform all or substantially all of his or her normal activities. That is another threshold, is it not? It is why this is not a no-fault system at all. They call it that; that is what the Liberals call it. That is part of their marketing scheme. That is part of the smoke and mirrors. That is part of the puffery that is being used to promote this and market this and package it, but really it is a threshold system.

What we have learned already from Mr Justice Osborne about thresholds is that they are not designed to let serious injuries in. They are designed to keep people out of a compensation or benefit system. Unable to perform all or substantially all of his normal activities: that is the same kind of restrictive threshold—it ranks along with the litigation threshold, which basically says you have got to be dead or darned close to it before you can look for compensation. Here you have got to be completely disabled or darned close to it before you are able to even be considered for this most modest benefit.

The student has got to be unable to perform all or substantially all of his normal activities. Well, even the briefest of reflection will show that in order to qualify, a student is going to have to be virtually bedridden. We know that very few students are going to qualify for benefits for any appreciable period of time, and once again students, young people under 16, just like these pages right here, are not going to receive a penny, notwithstanding that they are going to be suffering the broken bones, the smashed bodies at the hand of drunken drivers, reckless drivers, careless drivers and negligent drivers.

We talked yesterday about the little 12-year-old who had a broken back, a 12-year-old student who had a broken back, was in traction in the

hospital for four months and lost that school year, of course, and then had to spend another year at home recovering and could not go out and play baseball and do all the other things and play with the other kids and play in the playgrounds and bike around the way a youngster, a kid, a little boy or a little girl 12 years old should be able to do. He lost two years of school, had a broken-back traction for four months in a hospital. That is a painful, painful experience, especially for a 12-year-old and especially for an innocent victim of a motor vehicle accident.

We talked about how being 12 years old does not reduce the pain, does not reduce the discomfort, does not reduce the impact on that youngster's life, and how that youngster does not get a single penny, not a cent, does not receive a moment's attention when it comes to compensation for pain and suffering. Is that not just incredible? Is that not the most unfair response that one could ever dream of, that an innocent accident victim, a 12-year-old kid who has a broken back at the wheel of a drunken driver receives not one penny for compensation for pain and suffering? It is not fair. We know that.

The only reason the government has things like this in this legislation is to make sure that the insurance industry makes profits like it has never seen before, because it is not uncommon for a student to lose a year of school as a result of an accident. The injury may be relatively brief, yet still because of the timing and because we do not have any choice about when we are victims of these sorts of horrible accidents, the injury might prevent the student from writing final exams or it may simply resolve in there being enough lost time from the school year that the year has to be repeated.

Now this can happen without the student qualifying for any weekly benefit at all because we know that what the case is in the event of a 12-year-old kid, it is also in the case of a 16-, 17-, 18-year-old student who does not meet this threshold. This is an insurance scheme. This is a new regime of thresholds, not of no-fault. There are thresholds running rampant through this legislation.

Why do these people not start calling it by its proper name, calling it the way it really is? This is a threshold system. It is the very sort of system about which Mr Justice Osborne said, "I reject this type of system on behalf of the government of Ontario," and he listed a whole pile of reasons why he rejected it.

He rejected it because it was not fair, because it excluded far too many people from any

compensation for real, serious, painful, long-lasting injuries. He rejected it because it does not result in lower insurance premiums, because this new regime is not going to make insurance any more affordable here in the province of Ontario, and that is in some respects for some people the bottom line.

Good drivers across Ontario are going to continue to have premium increases that climb year after year after year. Good drivers across Ontario are going to continue to receive notices from their insurers saying, "I am sorry, but your policy will not be renewed," which means they have to go to Facility Association where they are paying two, three and four times what they were paying to regular insurers.

This legislation is not going to solve the crisis we have in this province of the unaffordability of insurance and, quite frankly, the unavailability of insurance. It is not even going to come close. It is not designed to do that. What it is designed to do is to generate untold-of, unheard-of profits for the insurance industry. What is it designed to do? It is designed to create a payoff in taxpayers' dollars, a payoff to the auto insurance industry in the first year alone of over \$140 million. We are going to get to that later. We are going to talk about what is being paid back, and the debt and the sense of indebtedness that was generated in the election year of 1987.

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Students are going to suffer. They are going to suffer handily. They are going to be hurt really badly by this legislation. Young students and older students are going to be hurt really badly by this legislation. It is designed to hurt them badly. It is designed to make sure they do not receive compensation for real injuries so the insurance companies can receive bigger and bigger profits.

We talked about the 12-year-old with the broken back last year, the innocent, 12-year-old victim of a drunken driver. We talked about a kid who was out of school for two years who received not a penny in compensation for the pain and suffering, not even the \$185 a week, notwithstanding that this little kid, this little 12-year-old is in traction in the hospital for four months with a broken back. There is not a penny of compensation. Why? Because it is not a permanent injury. It does not pass the threshold. The threshold means you have to be dead or darned close to it before you can even think about receiving any compensation for your pain and suffering. If you are dead, quite frankly, it does not matter a whole lot, does it?

The little kid we were talking about last year not only spent four months in the hospital in traction and a year at home, but was two years late in entering the workforce because that student had to make up that two years' time in school. When you are delayed in entering the workforce, there is an economic loss. That youngster is two years behind his or her colleagues, peers and friends in terms of entering the workforce. Is there any compensation for that under this scheme, under this new regime being imposed upon drivers in Ontario? No. Is that fair? The answer once again is no, of course it is not fair. No fairminded person in the province or anywhere else in Canada would consider that to be the right thing to do or the fair thing to do or the just thing to do.

Homemakers, women and men who work daily, seven days a week and every week of the year as homemakers, caring for their families, their spouses and their children, are going to be hurt really badly by this legislation. Boy, are they going to suffer cruelly. They are going to suffer by this legislation because the legislation is not designed to help them; it is designed to make bigger and better profits for the auto insurance industry. Let me tell the members how. Like students, homemakers can be entitled to a weekly amount of \$185 maximum, once again only if, as a result of the injury, that person is unable to perform all or substantially all of his or her normal activities.

Like the student, that homemaker is going to have to be virtually bedridden to qualify. What does this legislation do? Once again, we are talking about innocent people. What about the homemaker whose legs are smashed by the bumper of a runaway car wheeled by a drunken driver? We know she or he does not receive a penny in compensation for pain and suffering because it is not a permanent injury. It does not pass the threshold.

What if that injury puts that person, that homemaker, in a position where she is unable to perform, let's say, half of her normal activities? That is not unusual. This is not an outlandish example, an outlandish scenario. This is not hyperbole or an imagination run rampant. It is a very realistic scenario, one that is repeated, I am sure, regularly across Ontario.

Does that person receive any compensation under this no-fault system? No-fault? One can find so much fault with this scheme, one can find so much fault so quickly, so thoroughly, so immediately. No-fault, no thanks. These guys, if they were going to be candid, if they were going

to be honest, would be calling this the faultiest of all insurance systems, because it surely is.

That homemaker whose leg is smashed by the drunken driver and who can only perform half of her responsibilities, half of her activities, is not even going to receive anything for pain and suffering. She is also not going to receive that \$185 a week that the Minister of Financial Institutions tosses about with some apparent pride.

What about the person who is sadly disabled as a result of an accident, such that the person has to rely on the so-called no-fault benefits, has to rely on the long-term care benefits described in section 8 of the regulations proposed by this government to accompany this pathetic legislation? What about that person, the person who needs long-term care?

The minister makes much ado and a whole lot of noise about the \$500,000 ceiling. Well, catch this. This is the punch line. There is a \$500,000 ceiling but you have to reach it at the rate of \$1,500 a month; \$50 a day. What that does is buy three, maybe four hours a day of care. It forces that person into an institution, and quite frankly at \$50 a day, a pretty demeaning and unsatisfactory institution.

That is a real contradiction in what appears to be this government's stated policy, that the government and the community should be doing everything to facilitate community living for disabled persons. Well, this government with this scheme is forcing disabled persons into the crumbiest of institutions because it is forcing them into institutions and providing them with care for which they can pay no more than \$50 a day.

This government is generating images that were written about by Dickens when it talks about the \$1,500-a-month ceiling. This government is recreating the poor-house. It is recreating the seediest and most pathetic of warehousing for disabled persons, persons disabled in motor vehicle accidents.

I know my colleagues want to speak on this legislation and I am going to leave it to them to address some of the other issues contained in the bill. I am going to leave it to them to point out the gross inadequacies, to point out how dangerous this legislation is to so many other groups of persons and individual persons in our community. I believe they agree with me that it is really only a matter of decency to let people in Ontario speak out about this legislation to a committee that travels across the province.

The Minister of Financial Institutions stands up and says, "Let it go to committee." No. I say let it go to committee. Tell us right now, today, that the committee is going to be permitted to travel across Ontario to listen to people from the north, from the south, from the east and the west, to listen to farmers, school teachers, students, homemakers, unionized workers and small business people, to listen to those people from across Ontario in their cities, towns, villages and regions about this legislation.

Let the minister tell us today that is what he is going to do, because that is the decent thing to do and that is the democratic thing to do. If the minister does not want to do it, he has revealed himself to be neither democratic, nor, quite frankly, decent.

I spoke about this a little bit yesterday. The problem has been one of the unaffordability of insurance. What that has meant is that good people who deserve better have been forced to put their cars up on blocks. Senior citizens have been forced to give up driving, senior citizens whose physical mobility quite obviously has diminished from when they were youngsters and for whom a car can mean the difference between being house-bound and experiencing a little bit of freedom, a little bit of mobility and a little bit of opportunity to socialize and interact with their friends, neighbours, peers and colleagues. Senior citizens have been forced off the road.

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I will tell members how dramatic it has been. In the four and a half years prior to 1987 here in Ontario, insurance premiums rose by 65 per cent. Then the government put a freeze on them but they continued to rise notwithstanding the freeze. This government's purporting to freeze insurance premium rates ranks along with this government's ability to make and keep promises.

The concept is inherently contradictory because the government froze premiums and then granted increases, as we said before, of 4.5 per cent, then 4.5 per cent, then 7.6 per cent, and even at that the insurance industry is not satisfied because it is doing its old premium flip, its premium shuffle, and sending people down the road to the sister insurance company, such as Scottish and York is doing with its clients, sending them down the road to Victoria.

The government has tried real hard to cloud the issue because the government has had to live with the promise the Premier (Mr Peterson) made back three days before the general election in 1987, the promise he never kept and, I will tell members, the promise he never intended to keep.

The big flim-flam; the biggest con job most of us have seen in a long time. What a scam. What a disgusting, pathetic scam.

Honest to goodness, for the Premier to promise the people of Ontario three days before that general election back in September 1987 that he had a very specific plan to reduce auto insurance premiums, once again, was horsefeathers. He did not have a plan. He knew better and he was prepared to take his chances.

The sad state of affairs is that the emperor has no clothes. That promise has been revealed to be much less than a promise. It has been revealed to be, well, let me put it this way: People across Ontario are saying, and I am shocked, that the Premier lied. People across Ontario are saying that the Premier lied in September 1987 when he said he had a very specific plan to reduce auto insurance premiums.

Do members know what these people are calling people who lie? We know what they call people who lie. Where he is leading us is a matter of much concern to us over here in the opposition, but I am shocked that a political leader can have earned that label by virtue of a promise that I agree he had no intention of ever keeping.

Do you know why one can say that, Mr Speaker? The promise was made, and it echoes in our memories, "I have a very specific plan to reduce auto insurance premiums." He did not just happen to say it by accident. I mean, it was not something that slipped out. It was a response to the very conscious realization on his part, on the government's part, on the Liberals' part that the auto insurance system was in a state of real crisis here in Ontario, and that is why I have brought with me today the 23 April 1987 announcement by the then minister, the member for Wilson Heights (Mr Kwinter).

Mr Maclean: He must be in Italy.

Italy: The member is right. I have not seen him. I would think he would want to be here because undoubtedly he would know that reference was going to be made to 23 April 1987, but what I am told is that he is among 10 Liberal backbenchers on a Junket with a capital J to Milan. Is it an overnight junket? No. Is it a junket on which the participants have to really grind it out? No. Is it a representative group of, let's say, one person from each caucus? No.

Mr Mahoney: Your leader was invited.

Mr Kormos: Oh, yes. You are darn right they invited the member for York South (Mr B. Rae), and I understand they invited the leader of the Conservative Party, but to their credit each had

enough courtesy to the taxpayers of Ontario to say, "I will not join those pigs at the trough." They have enough sense of stewardship of the taxpayers' money not to participate in such an obscene abuse of power.

The Acting Speaker (Mr Cureatz): Order, please. I would like to bring to the honourable member's attention that it would be appropriate if he spoke to the legislation at hand, second reading of Bill 68. We would appreciate that very much.

Mr Kormos: Thank you, Mr Speaker. I am speaking of obscenities. This bill, Bill 68, is an obscenity. It is an obscenity that is equalled only by this junket on which 10 Liberal backbenchers accompany the Premier to Italy along with a whole host of other folk. Their names were listed in the paper.

Johnny Arena went. I suppose he is going to cook for them if they get hungry late at night. Here come the cheeseburgers. Johnny Arena just happened to be along, and a whole bunch of Ferraros from Guelph. But what the heck. I suppose if you are going to go all the way to Italy, you should have some company. The Premier is not going to be alone. Once again, I concede that maybe the Premier needed 10 backbenchers to come along with him at taxpayers' expense. They could carry his luggage and that is an obscenity. That irresponsibility, that lack of stewardship of taxpayers' money is an obscenity. This legislation is an obscenity.

When we talk about this, let's consider the myth that had been perpetrated to the effect that the auto insurance industry was losing money. Remember that line? Of course. They had been crying big crocodile tears for a long time, spending their premium dollars on all sorts of outlandish advertising programs, the old, "If pigs could fly." Here these pigs at the trough are actually producing ads about pigs flying. They should have been a little more straightforward in showing those snouts oinking into the old food trough, into the old pork barrel.

On 23 April 1987, the then minister said at a Queen's Park media conference, "While overall profitability increases"—profitability of the auto insurance industry—"some consumers continue to pay unjustifiably higher premium rates with no recourse for their shabby treatment in the marketplace." That was in April 1987.

At that point the broken promises just gushed. There was an eruption. It was more like a bout of flatulence on the part of the ministry because there was a burst of promises, all of which drifted off into the atmosphere.

The minister said back in April 1987 that in view of those circumstances, the shabby treatment of the consumers in the marketplace, the increasing profitability of auto insurance and the unjustifiably higher premium rates—it was the Liberals' own person who said, "In view of these circumstances, the government has decided it is necessary to take immediate steps to protect Ontario consumers.

Then he went on to announce a series of promises. He announced the capping of the rates for all automobile insurance, a promise that was so quickly broken. The breach of that promise is so well documented. We have talked about it time after time. It is there, the 4.5 per cent, the 4.5 per cent, the 9.2 per cent, the 7.6 per cent.

1630

The creation of an independent rate review board; real big, real independent. Remember Mercer, the consultant? Hired for big bucks by this government's rate review board, and then it is found out in pretty short order that it also happens to be one of the biggest automobile insurers in the whole country and in all of North America. Really independent. That was really impressive, an independent rate review board.

Some two and a half years later, I guess one has to smile when one reads these promises of the then minister: creation of an independent board with powers to approve, adjust or roll back rates. Roll back rates? It never entered its mind. The first thing that board did on behalf of this government was decide that, notwithstanding that auto insurance companies were profitable and notwithstanding that the insurance industry in Ontario was extremely profitable, it was going to make sure that those profits were almost quadrupled and that any rate-setting exercise it embarked on from that point was going to be based on a premise that the auto insurance industry was entitled to and was going to get guaranteed profits some four times what it had been making up until that point. That it is the premise of this independent board with the Mercer company, one of North America's largest automobile insurers; that is the independence of this board.

Roll back? Who are they kidding? They announced rates all right. They announced rates that were increases of anywhere from 17 per cent to 82 per cent, depending upon where you were in the spectrum. Who were the people who were hardest hit by this so-called scheme on the part of this government to protect consumers from the shabby treatment in the marketplace by the automobile insurance industry? Who were the

victims in this scheme, in the government's own words, "to protect consumers against unjustifiably higher premium rates"? Who were the people hurt? Senior citizens and young women drivers were among those most drastically hurt by this independent review board.

Some of the other promises were remarkable. The creation of a consumer insurance bureau headed by an insurance advocate to provide consumer information and assist consumers with their claims never happened. Governmental management and control of the motor vehicle statistical information base never happened. That whole process was so thoroughly co-opted by the auto insurance industry that the consumer never had a chance. Who is a party to that whole fraud but the authors of the legislation, the authors of that legislation and the authors of this legislation at the behest, at the request, at the direction, at the instruction of the auto insurance industry. This legislation is guaranteed to generate profits never seen before, and in first year alone, the big gift is \$143 million and change.

When I started talking this afternoon, I said I was going to talk about the genesis of that obligation, at least insofar as we are able to determine it, because one has to say, "My goodness, what has the insurance industry got on these guys that they would impose this legislation on drivers in Ontario, that they would risk the political futures of so many of their members?"

Drivers are not going to forget what is being done to them. Drivers are going to continue to pay increasingly higher premiums. Drivers are going to continue to be denied insurance coverage and forced into Facility Association under this new regime. Drivers, because of the minister's complete disdain for the democratic process of committee hearings, are not going to have an opportunity to speak out against this insurance. The schoolteachers, the students, the farmers, the homemakers, the unionized workers—why would this government risk the political futures of so many of its members by passing such horrible, such totally flawed, such indecent, such obscene legislation?

This is what we have been able to determine. This is what has been reported. It leaves questions, but this is what has been reported. Documents filed with the Commission on Election Finances show—this is what is reported; Lord only knows what else there is—that insurance companies, brokers and consultants contributed \$118,701 to the 1987 Liberal election campaign. The auto insurance industry obviously knew that the Liberals' promise to reduce automobile

insurance rates was to become one of a long string of broken promises. That is the real concern, that the \$118,701 that was gifted to Liberal candidates in the 1987 general election warrants a payback. As I say, this makes fridges and paint jobs look like small stuff.

If the auto insurance industry were in such dire straits, how could it afford the \$1 million to run ads in Ontario explaining that the high premiums were not the insurance industry's fault? Baloney. How can it afford to spend another \$1 million of premium money to convince British Columbians that the private insurance industry should be allowed to take over the Insurance Corp of British Columbia, the public driver-owned system that is working, and working well, providing affordable insurance fairly to all drivers in British Columbia, just like the systems in Manitoba and Saskatchewan. In Saskatchewan it dates back to 1946.

That is what we say. We say that this legislation cannot be passed. In the name of decency it cannot be passed, and in the name of democracy this government is obligated to let people across Ontario comment on this legislation at the committee process, not just people in Toronto but people from all over Ontario. That committee has to be permitted to travel as far and as long as is necessary so that every interested person in Ontario can comment. To do any less is to express the ultimate disdain for democracy and for our constituents.

I suppose it comes as no surprise to you, Mr Speaker, that we are not going to be supporting this legislation. We will be voting against this legislation, and we will be doing everything in our power to inject a little bit of democracy into the minister's veins and some decency into his heart to get him to have real committee hearings on this. I thank you very much for this opportunity to speak about this matter this afternoon.

The Acting Speaker: We have been listening to the honourable member for Welland-Thorold on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance. Are there any questions or comments? The honourable minister, looking in rotation.

Hon Mr Elston: I would ask for equal time, Mr Speaker, but I am not sure the people would wish to revisit all of the issues. There are a couple of things I want to do, though.

First, I want to indicate to the people who have listened to this that the honourable gentleman has basically put the position of the lawyers of the province. He, as a member of the New Demo-

cratic Party, would probably be loath to be described as being in favour of the status quo, but that is exactly what he is in favour of. His is a no-change party, a dynamic which is new to the New Democratic Party. I look at their august history as being people who motivated change in the province and who looked at a redistribution of wealth in a different sort of way—sometimes not exactly the way the Liberal Party would look at it—but in this situation he has hearkened back to the past and said: "Don't change a thing. Don't redistribute the premium dollars to the injured. Don't follow the benefits that are in this package."

In fact, we wish to redistribute the benefits. I want to go further and say in my limited time that the thing which this gentleman does not do, and he does a great disservice to the public, is tell the people that the current tort system is the undoing of a large number of people in this province. Almost one third of the people involved in serious accidents in this province are unable to access the tort system because they cannot find the person who was driving, who caused the accident, they themselves were at fault or there were insufficient coverages. He has not indicated that there are problems with the current system that leave people without homes and without businesses. In fact, he is doing a great disservice by not describing the dislocation that occurs and the delay in the system currently now that may take five or six years before anything is decided, even if it is decided in favour of the individual claimant. We have to get the whole story, and I think we will probably hear more of that full story from the next speaker.

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Mr Kormos: Mr Speaker, I would like to answer one question—

The Acting Speaker: Unfortunately, it is not your turn yet. However, you will have the opportunity.

Mr D. S. Cooke: First of all, I would like to indicate how much I enjoyed listening to the member for Welland-Thorold yesterday and today, when I was not here. One of the reforms we have achieved in the last few years is that we have legislative coverage in our offices. So when I was not here, I was watching very carefully, monitoring what was happening in the House.

In the two minutes when the member is going to have an opportunity to respond I would like him to explain to me whether in his opinion the legislation that is now before the Legislature is the final plan the Liberals have; the plan that would have been the promise that the Premier

made just days before the last election; the plan he said he had at that time to lower insurance rates; the plan that resulted very shortly after that in a freeze being implemented on rates for care insurance, a freeze that allowed insurance companies to get rate increases of over nine per cent in the first year that the freeze was put in place and another 7.6 per cent this year; the plan that put a rate review board in place, and then the government brought in that legislation, had public hearings across the province, set up the rate review board, and then found out that the rate review board would not work, so it had to be scrapped. Of course, this legislation is part of the new plan. I think this is the third plan that the Liberals have brought in.

I guess I would like to get an idea from somebody who is a real expert, who has followed very carefully the plan that the government has put in place and who is much more knowledgeable than I am in the area, whether he thinks this is the final plan that the Liberals are going to try to foist on the people of this province, or whether there is going to be a fourth fallback position for the Liberals when they find out that this does not work and that this is not accepted by the people of the province. Perhaps he could indicate what he thinks will happen to the rates for auto insurance under this grand plan of the Minister of Financial Institutions.

Mr McLean: I want to comment briefly on the member's statements yesterday and today. I want to comment on the Osborne report which he referred to many times with regard to the threshold insurance.

This government has another example of the narrow wording of threshold that I think will cause a number of problems in the area of interpretation for permanent injury, the classification of important bodily function and the definition of "physical" as it relates to the physical component of chronic pain. This member brought up all those subjects in his speech.

I know this government has a lot of concern with regard to amendments that will be brought in to make this bill a better bill. I know the minister has always brought in several amendments in previous legislation, and I am wondering if this bill is going to be the same, with a lot of new amendments to it.

The fact that a commission was set up to set rates, to me, is something that has been unheard of: a commission that is going to set the rate of what you pay for insurance. I am sure the insurance companies will be setting the rates,

because they are going to say, "Now you can make a profit of 10 per cent."

I commend the member for bringing out the issues and the very concerns that should be brought in public hearings, if this government sees fit to go that route, which I am doubtful it may. I know the minister will elaborate on that. I say, when the public hearings are held, the people across this province should have the opportunity to have full input into this bill.

Mr Harris: I appreciated hearing the comments, either here in the House—

Mr D. S. Cooke: Or in your office.

Mr Harris: Or in my office, as the House leader for the New Democratic Party has said, over the past two days. It is a bill that concerns us greatly, and as the minister indicated in his comments, he looks forward to hearing the remarks from the member for Leeds-Grenville (Mr Runciman), as do I, and I have no doubt that the member for Leeds-Grenville will point out in his comments much of the concerns of the people of this province.

I also want to tell the minister and the Speaker about the reaction to it in the whole gist of the conversation. The minister said there were some things that the member did not talk about that he was looking forward to hearing. While I am confident the member for Leeds-Grenville will say part of it, I say to the minister that if he is sincere and really wants to hear from the people, then this whole charade, this bill, should be taken to the people. If he really wants to hear what the people have to say, then give them the opportunity for some input—the people from Nipissing, the people from Sudbury, the people from Kenora, the people from London, the people from eastern Ontario and the people from all across this province.

Our goal is to allow the people to have their say. Our goal is to make sure this legislation is not delayed unduly but that we do hear what people all across this province have to say. If the minister is sincere, he will agree with us and send this bill out to committee for hearings across this province before jamming it down the throats of all Ontarians.

The Acting Speaker: We are in second reading of Bill 68 and the continuation of questions and answers. That concludes the rotation. I would like to call upon the honourable member from Welland-Thorold for his concluding remarks.

Mr Kormos: Let's take a look at what this government is doing to us. It is taking us into the

dark ages. I told the members yesterday about how Mr Justice Osborne had written in 1988 that legislative enthusiasm for threshold systems, such as they are trying to impose on us, has diminished in the last decade. No new schemes have been implemented, and two states in the United States have repealed their threshold plans in favour of add-on no-fault benefits, which quite frankly is what we advocate.

One serious problem is affordability, of insurance premiums going sky-high beyond the affordability of most people here in Ontario. The government has refused to address that problem; it is not addressing it now, and it has refused to look at options that are available to it to resolve that problem.

The other serious problem is the matter of availability. More and more people in this province are simply being denied insurance coverage. They are being refused renewal by insurers who may have insured them for years and decades but who, for any number of reasons, decline to renew their policies. These people are often—this is happening to good drivers with good records, along with others—being forced into the Facility Association with premiums two, three or four times what they would be paying in the regular market.

The solution is readily available. It is a public, driver-owned nonprofit auto insurance system. The elimination of profits saves drivers millions of dollars a year. We know from the government's own studies that the western systems of public, driver-owned insurance are more efficient. They use their premium dollars more efficiently, and we know that from the government's own studies.

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Mr Runciman: It is a privilege to have the opportunity to participate in the debate on Bill 68, certainly an extremely important piece of legislation, affecting millions of Ontarians across this province.

I simply want to reiterate what my House leader said with respect to the opportunity for full public hearing across the province when we look at this kind of legislation. I know the minister was interjecting earlier and suggesting that the committee sets its own agenda, but he has been around here as long as I have, and he knows the majority on that committee is going to follow the direction of the minister and his executive council colleagues; if they do not want full public hearings across this province, it is not going to occur.

Members should look at the comments made by the minister in the *Toronto Star* just last month, "Elston Rejects Full Public Hearings on Insurance." To suggest that the committee is going to do something that is in contradiction to the wishes of the minister himself, is laughable. We know that all of these folks have aspirations to join him in an executive council at some point in the future so they are not going to be going against the minister's wishes.

I found it interesting when he was talking that the minister was criticizing the member for Welland-Thorold, sort of supporting the status quo, and the minister was talking about the redistribution of wealth. I was recalling that I asked the minister a question some time ago about a column by Laurence Grafstein, a rather prominent Liberal and talking about no-fault auto insurance as a—

Hon Mr Elston: I am not sure you are right on with that.

Mr Runciman: Well, it is my feeling that the gentleman is a Liberal and a relatively prominent one. Perhaps the honourable member wants to correct the record at some point in the future.

In any event, he was bemoaning the fact that there was no debate, no philosophical debate, if you will, about the merits of no-fault. As he said, it is a socialist approach to insurance and redistribution of wealth, and I thought it kind of passing strange in respect to the position that the New Democratic Party has taken on this. I can understand that, the fact that party has called for a government-run program for some time and I guess it is getting away from the comments we heard from the member for Welland-Thorold today in respect to getting away from the idea that no-fault is indeed a socialist kind of initiative.

They are not describing it as no-fault. They are describing it as a threshold plan. Indeed it is a threshold plan, but it is a threshold that virtually no one can pass, so in effect it is certainly not quite pure no-fault as they have in Quebec, but it is darned close to it. We talked about threshold and the member for Welland-Thorold will agree, I am sure, that although the government is using a figure of 90 per cent, suggesting that 10 per cent will be able to pass this threshold, if he even looks at the Osborne study, he will know they took a look at another threshold plan with a much less stringent threshold than the one the minister has introduced, and they were looking at something like 93 per cent to 95 per cent.

I think the suggestions by lawyers and others in society that we are probably really looking at a 97 per cent figure is not beyond the realm of

possibility so that in fact we could see through a variety of court challenges, etc down the years that somewhere in the neighbourhood of only three per cent or four per cent of accident victims will really be able to secure access to the courts under this legislation.

The minister in his opening comments was interesting in respect to the views that he was going to listen to, input at the committee meetings and suggesting that he and his government had taken advice from the various commissions that have been established over the years and had spent millions and millions of taxpayers' dollars. That is interesting when we look at the history of this issue.

Of course, I had the good fortune of playing hockey with the minister this afternoon, and for some reason or other we always find ourselves on opposing teams. The minister carries his stick high, and in my part of Ontario we suggest the kind of hockey the minister usually engages in is wood chopping. I attempted to catch him with his head down, but to no avail. It is going to happen sooner or later and in respect to auto insurance he is going to be caught with his head down and this government is going to be caught with its head down because it is indeed leading the people of this province astray.

It is going to have to pay the piper at some point, hopefully in the not-too-distant future, hopefully prior to the issuance of the writ, but obviously it feels they can float this thing by the public, deal with the consequences after the election and try to remove auto insurance as a significant issue. Certainly, we are going to try to do our best to ensure that is not the case, but obviously, that is the strategy of the government at this point.

Hon Mr Elston: You won't let the bill pass. The strategy of the opposition is to prevent the passage of this balanced and moderate legislation.

Mr Runciman: The minister is continuing to interject. One of the concerns I have in this whole exercise is that when we ask questions in this House—and it could be the Leader of the Opposition, the leader of my party, the member for Welland-Thorold, myself and others, trying to convey some very real concerns that are out there about this program that you have introduced, we continuously get, in all fairness, I think, bafflegab from the minister. We really do not get meaningful responses.

I can give an example. The other day, when I talked about safety and I specifically asked the minister about studies dealing with the question

of increased accident frequency rates and increased fatalities, I pointed to a study done at the University of Toronto suggesting we could be looking at somewhere in the neighbourhood of 100 additional fatalities in the province of Ontario under this program.

I know the minister disputes that and has a pat response to that kind of concern. But I asked him a very specific question. I said, "What kinds of studies has he done in respect to this very serious question?" He did not answer that. He did not answer it because obviously, they have not done any studies. He does not deal with that. It is a pat, political answer always and there is no real effort to address those kinds of concerns.

We wanted to talk about the costs associated with this. I raised the question a couple of weeks ago, about a study done by Professor Jack Carr at the University of Toronto. I will put those facts on to the record again. This indicated that the introduction of this new system will cost consumers close to \$800 million.

That is \$480 million the insurance companies save in compensation payouts for pain and suffering under the new threshold; \$150 million the insurance companies save in compensation payouts for economic loss under the threshold; \$95 million, the revenue the government is forgoing by eliminating of the three per cent tax that is currently paid on insurance policies and \$48 million, which is the amount insurance companies no longer have to pay to OHIP for medical services provided to innocent victims of car accidents. It is close to \$800 million.

I suggested this to the minister. I specifically asked him if they had carried out any actuarial studies in respect to this plan he has brought in and what the impact is going to be. Again, we have not received any answers. We have talked about the government spending millions and millions of dollars, first with the Osborne Commission, and then with its own board, to take a look at product reform. We know that actuarial studies were carried out, and certainly, I think Osborne referred perhaps to an older actuarial study in respect to no-fault, but I believe the the board, and I stand to be corrected on this, did indeed do actuarial studies on threshold no-fault, but not the one the minister has adopted. Certainly, not with the kind of stringent threshold that he has adopted.

We have heard some criticism of the insurance industry here and I am not going to be critical of the insurance industry. They have had a tough row to hoe over the past couple of years, dealing with this government. They have been jerked

around in an unbelievable fashion. We can go back to earlier this year when the minister talked about changes in risk classification, again, against all of the advice before him, all of the hearings of the standing committee on administration of justice on Bill 2 when we had witness after witness tell us about the impact of risk classification. We had a study that cost the government hundreds of thousands of dollars, I believe, by Mercer, which made the same basic message clear, I guess. It should have, in any event, to the minister.

But what happens? He had to have it dropped on his desk and when he saw the reality of the kinds of increases, he panicked, despite the fact that he had all that information before him months before that date. What happened to the insurance industry? Because the minister had made a decision that, "I am forging ahead despite the evidence that is before me and before the government," the industry was obligated to make significant changes in respect to computerization, in respect to a whole host of administrative changes that were required because of the requirements of the government in respect to doing away with the old standards of risk classification and bringing in these new changes.

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Then the government, again this minister, pulled the rug out from under the insurance industry and certainly, in an embarrassing fashion, out from under his own appointee, John Kruger, chairman of the Ontario Automobile Insurance Board. It was very embarrassing, very humiliating for Mr Kruger but somehow he shrugged it off like the good Liberal soldier that he is and did not suggest any criticism of the government whatsoever, I guess, although he did say, "If they kick me once more, I may not take it." I think that was something like his response. "If they kick me once more, I may not hang around here any longer."

I was getting to a point about the insurance industry. I have heard various estimates, nothing from the industry itself, but the industry in that whole exercise lost somewhere between \$150 million and \$450 million. Those are estimates that I have heard. I have heard it from people involved in the periphery of the industry, I have heard it from brokers, I heard it at a meeting of brokers in eastern Ontario that I attended last week, where that figure was floated.

In any event, we know and I am sure the minister, if he wants to be honest about it, is going to stand up here and indicate that indeed there was a considerable loss of money to the

insurance industry because of what he did in respect to risk classification, the obligation he placed upon them to make changes and then when he pulled the rug out from underneath them in respect to those changes, the cost implications that held for the industry.

I am not going to be terribly critical of the industry. I know we are saying, "Well, this bill and the approach of the government is certainly putting lots of dollars in the pockets of the industry." I think there is no question that is indeed the case. Perhaps the conscience of the minister has been bothering him in respect to the kinds of losses the industry has suffered because of his actions over the past year or so. I do not know. Certainly, this threshold is indeed presenting the industry with a windfall but I guess we could look at the first year or two as a payback rather than a windfall for the ad hoc, sloppy crisis management of the government and the minister in respect to automobile insurance.

I talked a bit about the threshold and we will get on to that later on. We have heard some reference to the Facility Association. I guess, as critics, certainly the member for Welland-Thorold and myself hear quite a good deal about what is happening with Facility. I saw a statistic recently—Facility is a national facility—and I think Ontario now represents close to 75 or 80 per cent of the members of Facility now, that Ontario drivers are making up that significant a component of Facility.

We know that Facility, although still relatively small in numbers, in terms of Ontario drivers, has doubled over the past period of time, I think a year or so.

I want to tie this Facility increase in with what the minister said in his opening comments about the public hearings process and about taking advice from the reports that have been dealt with earlier, Osborne and the OAIB report. He is going to listen very carefully to the recommendations that are made.

I have to go back, since I have been involved in this since the fall of 1987, before that really, with Bill 2 and sitting through the hearings of the standing committee on administration of justice. To be fair, the minister was not the minister at the time but, in any event, I think the government's approach to this issue has not changed in respect to listening to some very good advice, in fact not listening to some very good advice.

As I said earlier, we sat through that exercise, Bill 2, and witness after witness appearing before us, and on the last day of the hearings—and I have said this before. I am not sure why this happened

on the last day; I am not trying to suggest there was some sort of conspiracy. This happens to be a fact, that on the last day of the hearings we were presented with a report on the Massachusetts system.

The Massachusetts system was, as I understood at the time, the only one really comparable to the kind of process, system, that the government was trying to introduce in Ontario through Bill 2. That document, that assessment of the Massachusetts situation was really an indictment of the system this government was bringing in, rate regulation and the establishment of the board to regulate rates.

It pointed out all of the problems, the real horror story, that had occurred in Massachusetts. It talked about 60 per cent of the drivers in Massachusetts now finding themselves in Facility Association. You are going to be paying at least double the rates that you would outside of Facility Association, double and triple. That is the common sort of thing that is occurring with Facility Association.

So this minister knew early on, or at least his colleague the Treasurer (Mr R. F. Nixon) did, that the Massachusetts experience, the only one comparable, had ended up with 60 per cent of the drivers in Facility Association and a huge number of insurance companies leaving the state and simply not offering auto insurance in the state.

What did the government do with respect to that kind of evidence that was before them? Absolutely nothing. They forged ahead with this unfortunate policy. They forged ahead at the cost of millions of dollars to Ontario taxpayers. Again, we can talk about not only the Facility; we can talk about the risk classification evidence that was presented to us as well, which I have already mentioned.

We can talk about a whole range of issues respecting the initiatives of the government, and all of them were pinpointed very clearly by testimony before the standing committee on administration of justice in the fall of 1987. It is tough to swallow the suggestion the minister is making today, that he is going to be receptive to input from witnesses and from the opposition parties with respect to the legislation that we are now discussing.

He has mentioned legal fees, and I am sort of jumping all over the map here. I am not necessarily advocating this, but the Committee for Fair Action in Insurance Reform talked about this a week or so ago at a press conference and suggested to the government—and the minister

has frequently used this as one excuse for his actions; that is, the legal fees and the proportion they represent of the bill that is now facing drivers in the province.

It was suggested by representatives of the FAIR organization: "Why not deal with legal fees. Why not look at regulating legal fees and retaining the system we have with modifications, modifications presented by the Honourable Mr Justice Osborne?" I am going to talk about that. I am not endorsing that kind of regulation of that profession. I would be the last one to do that, but I am just suggesting that a representative of FAIR, in fact, its spokesperson, was suggesting that.

Indeed, I guess there were other innovative ways that this could have been dealt with instead of throwing the baby out with the bath water, which is what this government has done.

The minister was going on earlier about the situation that currently exists and how some people are not being treated fairly under the current system, and I agree with that. There is no question. There are some problems with the system and they were very thoroughly addressed by Mr Justice Osborne. I do not know what happened. No one really knows what happened back in the fall of 1987. Perhaps this minister does not know.

His predecessor, the Premier and perhaps a few other members of the executive council know what transpired following the election, when the Premier made that promise that he had a specific plan to lower insurance rates. He got back into his office and said: "Look it, I said this hairbrained thing spur of the moment. I hadn't thought it out. Now you guys come up with some sort of a plan that is going to meet this promise that I made during the election campaign." I am sure that was the sort of scenario that occurred.

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So then the minister and the Ministry of Financial Institutions had this hot potato thrown in their laps by the Premier with his off-the-cuff, off-the-wall promise. Even though we were in the midst of a very thorough study by Mr Justice Osborne at a cost in excess of \$1 million to Ontario taxpayers, because the Premier had made this promise, with no idea of how to keep it, the ministry and the government, because of the Premier, were forced into taking this kind of action, this kind of ill-thought-out initiative, while Osborne was still in the process of doing a thorough study of the industry.

So, what happens? They forge ahead with this. In February 1988, Osborne came down with his

recommendations and one of the first things he said is that the government is doing this completely wrong. It should not be setting up a rate-setting authority. Everything they are doing is wrong. But of course the hardheaded, stubborn folks in the government who had started down this unfortunate path were not prepared to step back and reassess where they were going, even though Osborne came in with some very excellent recommendations. I cannot recall the exact figure, but the thrust of his recommendations in terms of rates across this province was going to see a rate decrease, I believe, on the average of \$50 to \$60, something like that.

That was back in February 1988. The minister talked about some unfortunate people being left out in the cold under the current regime. That could have been addressed and was addressed by Osborne with respect to the schedule C benefits which the minister could have, under Osborne, increased immediately.

So the minister gets up and talks about speedy response in terms of getting no-fault benefits and a whole host of other arguments that he put forward to justify his position. Those were addressed by Osborne, and as he said, we should not be an importer of systems; we should be an exporter of systems. The minister has heard that one. If he had made those changes with respect to schedule C benefits, he would have addressed the concerns that he is now using as a significant degree of justification for the approach he has taken. That is the reality of it. I am sure the minister will want to differ with me, but as I see it, and certainly as an awful lot of other people in this province see it, that is the case.

I talked about this earlier too, that the government is hoping that this thing is not going to blow up in its face. They have been staggering from one situation to another since the fall of 1987, and obviously they are hoping they can get this thing through the upcoming provincial election without a lot of irate drivers in the province coming down on their shoulders and the shoulders of Liberal members of this Legislature. They want to maintain an illusion that premiums are not going up, and there is no question that it is nothing more than an illusion.

I think we heard the member for Welland-Thorold going over the figures, the so-called freeze over the past number of years and the fact that we have affected something like 20 per cent increases, average, on automobile insurance in this province since the freeze was implemented, this so-called freeze. Of course, in this situation the government is now talking about an eight per

cent average increase in urban areas—we do not know what that means with respect to how the government or the insurance board is going to define “urban areas”—and perhaps no increase at all in some of the rural areas of the province.

That is more smoke and mirrors, because we talked about the subsidization of the industry and the eight per cent, if you talk to people in the industry and just factor in the \$145 million with the OHIP and tax breaks that I have talked about earlier. If the industry was not getting those kinds of breaks, that eight per cent would be in the neighbourhood of a 15 per cent increase. I hope the people of the province who are perhaps viewing this debate this evening will take note of that fact.

Certainly when we talked about no-fault initially, or at least when the government talked about product reform and was looking at no-fault, we were talking about meeting the promise of the Premier, meeting the Premier's promise of reducing insurance rates across this province. That has not happened. What the government has done in this smoke-and-mirrors effort to deceive the people of this province is, through the back-door, if you will, although it is public knowledge—when it comes to you, Mr Speaker, and myself getting our bills in the mail from our local brokers, it is going to show perhaps an eight per cent increase. But in reality you are also paying out of your wallet through your taxes, so you have an equivalent increase in the neighbourhood of 15 per cent, and that is just factoring in that \$145 million figure.

Again, it is a total effort in my view to fool the people of this province, to deceive the people of this province and to accept the fact that, in effect, they are doing something positive with respect to auto insurance premiums in this province.

I want to talk about Bill 68 with respect to recovery and just put a few things on the record with respect to what happens with this new program in terms of recovery. Under this bill you will get nothing, absolutely nothing, for pain and suffering. If you are an employee, you will be unable to recover your full loss of wages. If you are self-employed, and I think this is an important one to remember, you will be unable to recover loss of profit and losses associated with disruption of business. You could, quite realistically under this program, lose your business and recover nothing—absolutely nothing. Also, you will be unable to recover for many serious physical injuries and you will be unable to recover for any emotional or psychological injuries.

No matter what you earn, the most you can recover is \$450 per week. We have heard all kinds of examples with respect to the \$450 a week, and we can use an example of someone living in the Toronto area making \$40,000 a year, a wife, a couple of kids, a mortgage. Under this program, the maximum that he is going to receive is \$450 a week. The minister boasts about speedy payment of these benefits, the \$450 a week. Is the speedy payment of \$450 a week going to make up for that \$17,000 of lost income? I will ask you that, Mr Speaker. Speedy payment of \$450, while that particular individual could be losing up to \$17,000 a year with no chance of recovery.

Mr McLean: It is a shame.

Mr Runciman: It is indeed a shame, and it is a hoax being perpetrated on the public of Ontario by this government. I think the person we really have to lay this at the doorstep of is the Premier himself. We are talking about some very unfortunate people in society who are going to be negatively impacted by this legislation and have already been negatively impacted by this government's fumbblings with auto insurance over the past two years.

We have a Premier of this province today who quite frequently shoots from the hip, does not carefully think out some of the things he is saying, some of the promises he has made over the years. We can look at his criticism of his colleague the Treasurer when he used a word to describe him, which I will not use in this House, and then later had to apologize. We have seen a whole host of indications of this Premier not thinking before he speaks. Certainly that has occurred in this situation.

But the implications are pretty severe for all of us as drivers and people with auto insurance in this province because of this Premier. I do not want to be too harsh on the gentleman, but he has lived a rather protected life. He grew up in wealthy circumstances, never had to work a day in his life and, for all we know, never did work a day in his life.

This is someone who at 26 was made the president of his father's firm. He really worked his way up the ladder. Right out of school and was made the president of his father's firm. Now what he actually did as president of his father's firm is certainly open to question, but in any event we know that particular gentleman never really had to get his hands dirty in life, never had to work shift work, never had to work a real job, never had to appreciate the problems faced by low-income people in this province or across this

country. That is continually indicated in the actions and the comments and the initiatives of this government under the leadership of David Peterson.

1720

Mr McGuigan: He worked on a railroad gang.

Mr Runciman: A railroad gang? What a bunch of bunk.

Let's face it. This gentleman, and I will call him a gentleman, has made this kind of a comment, this kind of a promise without even thinking it out. We had the same sort of thing with beer and wine in grocery stores, Mr Speaker. You will remember that in 1985. It served him well in the 1985 election, but again it was another off-the-cuff, ill-thought-out promise with significant social and economic implications for the province.

Now we get a situation here where he has made a similar kind of promise again with significant social and economic implications. Then what has he done? He has thrown that hot potato into the lap of the civil service to try to come up with some sort of a solution, some sort of an answer, some sort of a resolution to this ill-thought-out promise that he made in September 1987, clearly to gain votes, clearly to defuse an issue that was creating some difficulties for him, especially from the official opposition which had used it as the primary plank in its election platform.

I think we can talk about deception. I know these are strong words in the Legislature and we try to refrain from them. I know the member for Welland-Thorold was using some rather strong language as well in respect to the actions and the words of the Premier, but I think it is a very difficult obligation placed upon us as legislators when we see that sort of thing occur, when we see that sort of promise occur which could never be fulfilled and has not been fulfilled. In my view, the facts are there before us to have that kind of response. In my view, it has not been fulfilled. You have to have blinkers on not to know that this government has miserably failed to meet that promise.

Again I get back to the difficulty in this particular circumstance for myself, the member for Welland-Thorold and other members of this Legislature, to deal with this question of the Premier's promise and not say things like "deceiving the public," not say things like "misleading the public," not use words that are even stronger than those, because indeed that is what happened. That is what occurred. Those are the facts. They are right out there before all of us

if we just want to stand up and take a look at them and admit them.

This particular situation has created, as I said, for myself and I am sure for the member for Welland-Thorold and others in this House, when we are dealing with this issue, a great deal of difficulty in coming to grips with how we can describe and deal with the Premier's promise and his actions since that promise was made.

Mr Kormos: On a point of order, Mr Speaker: I am loath to interrupt the member for Leeds-Grenville and I apologize to him, but if I may, I recall last week the member for Carleton (Mr Sterling)—

The Deputy Speaker: Under which standing order is that, please?

Mr Kormos: —objecting to the absence of the Attorney General (Mr Scott). The Speaker at that time pointed out that the parliamentary assistant to the Attorney General was present in the Legislature while Bill 2 was being presented and carried by the government.

Now I note that not only is the minister not present for what he purports to be important legislation, but his parliamentary assistant is not present either. So the same argument from the Speaker cannot hold. It is pathetic that the government obviously is so insincere from its own respect about this legislation that it does not have the minister present when the bill is being debated, nor even the parliamentary assistant.

The Deputy Speaker: With the return of the minister. Would the member for Leeds-Grenville please continue.

Hon Mr Elston: Mr Speaker, if I may, I went out to the washroom after having listened to the member for Welland-Thorold. I thought I was entitled to take that short break. I apologize for any inconvenience to the member for Welland-Thorold.

The Deputy Speaker: Now that we have settled Mother Nature's issues, would the member for Leeds-Grenville please continue.

Mr Runciman: I hope the minister does not have a similar urge during my comments.

I want to talk a bit again about a particular issue that I raised in the House, and that has to do with the question of increased accident frequency and the increased number of fatalities that will occur, as a number of studies have shown, with a no-fault system.

This particular study was done by Roseanne Devlin at the University of Toronto and was an analysis of the experience in Quebec. I know that a criticism can be made that the system in place in

Quebec is pure no-fault. There is no threshold. I guess I want to make the point, as I have made earlier, that we are going to be darned close to pure no-fault under this program. From the projections we have seen—and I think they are realistic; certainly we have no studies from the government to prove otherwise—we could be looking at about a 97 per cent figure in terms of accident victims excluded from access to the courts under this process. So I think the Quebec experience is relevant.

This lady did a very thorough study in respect to this, and I want to put some of that on the record. The most important observation, from one of the tables, is: "The no-fault variable indicates that fatal accidents in Quebec increased by 9.62 per cent after no-fault was introduced. Thus, driving care has fallen significantly after no-fault." That is just one quote, and again, it is a very valid concern.

I think the minister, although he is not prepared to admit it today or not prepared to admit it during question period when we raise this issue, recognizes that there is some validity to this concern. He and his colleagues have tried to address it through the addition of OPP officers, seatbelt review to ensure that more drivers are utilizing seatbelts and a number of other areas, which in my humble opinion are not going to have any real impact in respect to accident frequency in this province. It will be negligible.

Of course, the reality is that over the past number of years accident frequency has been decreasing in the province with the current system in place. Here is one figure from the Ontario Road Safety Annual Report: In 1974, there were 1,748 persons killed on the highways, and in 1987, 1,229 people were killed on the highways, so a reduction of over 500. We can continue to look at those kinds of statistics, which should elevate the concerns of the government in respect to the road they are taking us down.

I think as I quoted earlier—and this is the gist of various studies and concerns, not only of this particular study. Osborne made this kind of reference as well. Even the insurance board under Mr Kruger made this kind of reference—driving care falls significantly after the introduction of no-fault.

1730

I want to also put on record a quote from Governor Thomas Kean of New Jersey: "After 16 years of no-fault auto insurance in New Jersey, the governor has now called for a return to the old tort system. It seems that no-fault, as

some predicted it would, inflated everybody's insurance costs by eliminating the economic incentive to drive safely."

There is 16 years' experience in the state of New Jersey with a no-fault program. Certainly there are going to be differences in respect to how this is handled, but I think in terms of encouraging unsafe driving practices, allowing the high-risk driver on to the roads because you are going to make his or her insurance that much more affordable, is going to be even more of a problem in this jurisdiction than it was in New Jersey or some of the American jurisdictions because of the particular program, the particular threshold, that this minister is bringing forward.

The United States experience—we have not had a no-fault initiative in the United States since 1976—and in fact two states have backed away from no-fault in recent times. So that no-fault is no panacea, and, as Justice Osborne said, it is being imported on the backs of at least 90 per cent of innocent accident victims in this province.

Mr McGuigan: You don't have to tell us that. We know it already.

Mr Runciman: The member for Essex-Kent knows this already; I do not have to tell him this. Earlier on, this member was talking about the fact that we have had 20 per cent increase in auto insurance while this freeze was in place. I talked about the Premier's promise, and he said it had been kept. The facts are there, and now he is saying that he has all the answers, that he knows what is going on, that I do not have to say this any more. The reality is, they do not want to hear it any more, and when they do hear it, they do not pay any attention. They ignore it. They treat it with contempt.

This government has handled this whole situation with a great degree of ineptitude. There is no question about it. One of the amazing things is the lack of embarrassment on that side about the way they have handled this. They have the unmitigated gall to sit in here today and in weeks past, in months past, and shrug their shoulders and say, "We are proceeding in the best interests of the consumers of this province." What a sham.

The sad thing about this, up to this point in time, is that they have been able to get away with it. The public of Ontario, by and large, are not paying a lot of attention to this debate, and that is regrettable because most of us are going to be affected. Most of us are going to be impacted, most of us are going to see loss of rights. But nobody—I should not say "nobody"—but a lot of people, perhaps the majority of people, are really at this point in time not paying attention to this

debate. I see it in my own office. I am not getting calls about no-fault.

We have to, as opposition members, make the case, a case that we believe in, even if no one is listening to us. In terms of what we view as the best interests of the people of Ontario, we are trying to do that. We have some very serious concerns about what this government is doing to the people of Ontario in respect to this process. We also have some philosophical, ideological differences with the whole concept of no-fault. But setting those aside and dealing with this particular proposal, we think it is bad news indeed for all of us in Ontario.

I want to put on the record again that 9.62 per cent figure in fatal accidents. If we translate it into actual deaths, that could, if indeed it proves to be the case, result in up to 100 additional deaths on the highways in Ontario. It may be difficult for some of us to grasp the suggestion that some sort of new form of auto insurance could result in additional deaths on the highways, but again I hark back to the fact that under this program, he is going to allow, he is going to make it affordable for more high-risk drivers in society to be out on the highways. That is the reality of it, and that is where the problem becomes not only a problem but a major concern.

Of course, another element of this study is that prior to the switch to no-fault in Quebec, the bulk of accidents were property damage accidents. Now we are seeing bodily injury accidents. The proportion is just on a flip-flop. Where we had property damage, now it has gone the other way with personal injury accidents in Quebec under no-fault. Those are the facts. If the minister does not have a copy of this study, I would be quite willing to provide him with one.

Hon Mr Elston: Does that include your campaign literature?

Mr Runciman: If you want to make a contribution, send it right over.

I will go to a number of other areas, but I think that is one that certainly has not been addressed adequately in this House, and most certainly not by the minister, when I have raised this. I will continue to raise this, as I am sure the critic of the New Democratic Party will as well, to try and get some kind of answer. Perhaps the reality is that the minister does not have an answer. He does not know. That would not be surprising, because as I have said from the outset, this has been a fly by the seat of the pants approach, ad hoc, dealt with crisis to crisis to crisis, and in essence that is what is happening here again.

We have talked about having actuarial studies to determine the real financial impact of this on innocent victims: no actuarial studies done. We have talked about having studies done to determine the impact on accident frequency and increase in fatalities: no studies done.

That bears out the fact that there has been very little planning, if any, in respect to the development of this proposal that the government has placed before us as Bill 68. They were looking at something, I guess, that as I said was going to mollify the insurance industry they had inflicted significant damage upon earlier this year, mollify the insurance industry for a period of time, perhaps only for two or three years, and at the same time try to continue to deceive, delude, fool and trick the public of Ontario that indeed they were doing positive things with respect to automobile insurance.

Talking about people being deluded, in my view the industry is being deluded and deceived in this, but it has to deal with this government and with this legislation; it is the only game in town. They want to continue to survive in the private sector so they have to try and adapt to the whims of this Liberal government.

I have predicted—I did this some time ago—that this whole exercise was a three-step process. Number one was the establishment of a rate-setting authority, number two was no-fault auto insurance, and number three was government-run, state-run auto insurance. That will please my friends in the New Democratic Party. It certainly will not please those of us who believe in the free-enterprise system. It will probably please a significant number of executive council members of this Liberal government who are not offended by the idea of significant intervention in the private sector, as Bill 2 clearly indicated.

In fact, I recall raising the issue of nationalization of the insurance industry with his predecessor the member for Brant-Haldimand (Mr R. F. Nixon), and he clearly indicated in this House—it is in Hansard—that he was not offended by the idea of the government taking over auto insurance. It did not bother him to any significant degree. We are talking about one of the key players in the Liberal government.

It is something that is certainly not going to be easily handled, but we have heard all the various stories about the Ministry of Transportation being able to assume this through its licensing offices, about a lot of this material already being computerized, so that there would be that kind of transition after we get through all this exercise, including no-fault.

1740

It fits into this package nicely, as endorsed by their friends at the Toronto Star who are very strong supporters of government-run auto insurance and were pleased and applauded the government with the introduction of a no-fault plan. They saw it as a step, an evolutionary process, the kind of step the government should be taking towards the ultimate goal of the Toronto Star and the New Democratic Party and perhaps of a number of members of the Liberal cabinet, towards the nationalization of the industry in this province.

I have some sympathy for the industry with respect to this situation. It has to deal with the current political environment, but a couple of years down the road, if it thinks it is safe, if it thinks this no-fault program is going to protect the private sector in this province, it is kidding itself. Just look at the actions of this government over the past two years. It has no hesitation whatsoever in intervention, even if it does not make any sense, even if it is going to cost us a bundle. It does not matter.

There may have been an off-the-wall promise by its leader of the day, or perhaps the former fund-raiser for the New Democrats, the Attorney General, has come up with another of his brainstorms that involves government intervention in the private sector. They will not be offended by it. They will get right in there, arms and legs; they will jump right into it. We will ultimately pay the price as the taxpayers of this province. They have no reservations. Look at 1985. They quickly jumped into bed with the New Democrats and adopted a socialist agenda that carried them through for two years. We can look at the ranks over there.

Interjections.

The Deputy Speaker: Order, please.

Mr Runciman: The member for Oakwood (Ms Hošek) is interjecting here. We know the member for Oakwood philosophically, ideologically is probably very much to the left of the political spectrum, certainly with what we read about her comments, her views of the past. In fact, we know that she was torn between the NDP and the Liberal Party when she was deciding to run for office in Ontario.

She opted for the party of power. Let's face it. The polls all indicated—I am not being critical of the member for Oakwood. I have a great deal of respect for her. She opted for the political option that was going to give her the opportunity to exercise real power as a member of the executive council. She did that for a brief period of time and

perhaps she will have another opportunity at some point in the future. I know she has her fingers crossed, her toes crossed, and we wish her well.

I just wanted to make that point with respect to the insurance companies. We are talking about people being deceived, people being deluded. I have a great deal of concern, legitimate concern. I made this prediction two years ago, a three-step prediction, and it is being followed through completely: rate-setting, massive intervention in the private sector, a rate-setting authority, no-fault auto insurance. Then at some point, perhaps in the not-too-distant future, once we see rates start to increase, the pressures are going to be there. It has been indicated right across every jurisdiction in the United States that has adopted a no-fault program that those pressure are going to be there. You cannot avoid them.

There is going to be pressure from the New Democrats with respect to those rates. There will be particular problems that arise, shortcomings that we have pointed out in this debate and will continue to point out during the hearings process, that are going to aggravate the situation, continue to elevate the pressure on the government. It has put itself into such a position now that it has limited its options. It has severely limited its options.

I said back in 1987 that once you get on to that slippery slope, it is damned difficult to extricate yourself. I have used the analogy of rent control. If you want to go back to 1975, when rent controls were brought in as a temporary two-year program, look at what it has done to us now. Look at what it has done to affordable housing in this province. Look at what it is costing us, \$40 million to the taxpayers for rent control so somebody in Toronto earning \$300,000 a year can live in a rent-controlled apartment. The folks in eastern Ontario, where the majority in terms of this province are people living under the poverty line, under \$10,000 a year, under \$5,000 a year, are subsidizing people in Toronto to live in rent-controlled apartments.

Hon Mr Ward: On a point of order, Mr Speaker: I just want to advise you that His Honour awaits to give royal assent to some bills, and if the member would consider adjourning the debate shortly, we could proceed with that.

Mr Runciman: What is shortly? I am a very agreeable fellow as the government House leader knows. I will have another opportunity. I was just getting wound up on this but I will—

The Deputy Speaker: Order, please. I have been told the Lieutenant Governor wanted to come in at 5:55 pm.

Mr Runciman: Ten minutes. I am wondering if this is a ploy on the part of the government. Here I was getting wound up, really getting into this thing and the House leader jumps up with an interruption which proves to be faulty, which proves to be in error.

In a calmer fashion, I want to talk about rent control and the analogy, and I think it is a fair analogy. If we look at the history of rent control and what transpired there with respect to the introduction of it as a temporary program in 1975, with pressure continuing to grow, especially in urban areas. We now find ourselves in a situation where it is politically difficult, if not impossible, to extricate ourselves from that situation.

I found it in my own riding, where I have not too many tenants but an overwhelming majority of them support rent controls. That is the political reality. Once the government has entered this process with respect to automobile insurance, it is going to be very difficult to back away. As I said, they have severely limited their options with respect to where they can go if this no-fault proposal does not succeed and does not meet their expectations.

I have no doubt or reservations in predicting that it is not going to succeed. It is not going to meet their expectations if they have any other than getting beyond the next election and continuing to fool the people of this province that they are dealing with a very serious problem in a meaningful and productive fashion. They are not doing it. They have not done it and they are not going to do it.

This is no answer at all other than perhaps the temporary alleviation of the political pressures this government is feeling with respect to this issue, for the most part pressures brought upon the government by itself, by its ineptitude, by its failure to deal with this in an appropriate way, by its failure to deal with proposals, commissions and recommendations, a host of testimony and a range of boards and commissions and special studies undertaken by Mr Justice Osborne and others. They have brought these pressures upon themselves. They have placed themselves in this position.

As I have to conclude, I want to reiterate that the responsibility for all this, the responsibility for this mess, this quagmire the government has got us into as taxpayers, as residents of the province, in my view rests at the doorstep of one individual. It rests at the doorstep of the Premier. He made a promise with no study, no information and no idea of what the implications of it were,

no idea whatsoever, a promise that was hollow at best and has caused this problem. He has created this problem. He is responsible for the situation the government now finds itself in without the intestinal fortitude to back away at several junctures where it had the opportunity to do so.

Is this the appropriate time to adjourn the debate?

The Speaker: I would think it is a very reasonable time.

Mr Runciman: I will look forward to an opportunity to continue next week.

On motion by Mr Runciman, the debate was adjourned.

1750

His Honour the Lieutenant Governor entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Committees: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 2, An Act to amend the Courts of Justice Act, 1984;

Bill 3, An Act to amend certain Statutes of Ontario Consequent upon Amendments to the Courts of Justice Act, 1984;

Bill Pr29, An Act to amend the Toronto Baptist Seminary Act, 1982;

Bill Pr31, An Act respecting the Town of Iroquois Falls;

Bill Pr33, An Act respecting Grand Valley Railway Co Inc;

Bill Pr35, An Act respecting the Ontario Home Economics Association;

Bill Pr38, An Act to dissolve the Board of Trustees of the Ottawa Charitable Foundation;

Bill Pr42, An Act respecting the City of Guelph;

Bill Pr48, An Act to revive East York-Scarborough Reading Association Inc;

Bill Pr50, An Act respecting the City of Etobicoke;

Bill Pr51, An Act to revive Astcam Co Limited.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

BUSINESS OF THE HOUSE

Hon Mr Ward: In terms of the business for the week announced last Thursday, there has been a change, by agreement. The opposition day will now take place on Monday, as indicated in motions given earlier this week. Tomorrow we will proceed with committee of the whole on Bill 147, and following that, we will resume the adjourned budget debate and possibly conclude Bill 68.

The House adjourned at 1757.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

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Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breagh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Orillia L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
- Miclash, Frank (Kenora L)
- Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
- Morin-Strom, Karl E. (Sault Ste Marie NDP)
- Neumann, David E. (Brantford L)
- Nicholas, Cindy (Scarborough Centre L)
- Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
- Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L)
- Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
- Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
- Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
- Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)
- Pollock, Jim (Hastings-Peterborough PC)
- Polsinelli, Claudio (Yorkview L)
- Poole, Dianne (Eglinton L)
- Pope, Alan W. (Cochrane South PC)
- Pouliot, Gilles (Lake Nipigon NDP)
- Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
- Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
- Reycraft, Douglas R. (Middlesex L)
- Riddell, Jack (Huron L)
- Roberts, Marietta L. D. (Elgin L)
- Runciman, Robert W. (Leeds-Grenville PC)
- Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
- Smith, David W. (Lambton L)
- Smith, E. Joan (London South L)
- Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
- South, Larry (Frontenac-Addington L)
- Sterling, Norman W. (Carleton PC)
- Stoner, Norah (Durham West L)
- Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
- Tatham, Charlie (Oxford L)
- Velshi, Murad (Don Mills L)
- Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
- Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
- Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

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Legislative Assembly of Ontario



Second Session, 34th Parliament

Thursday 16 November 1989

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 November 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

MUNICIPAL ELECTIONS

Mr McCague moved resolution 25:

That, in the opinion of this House, recognizing that the Municipal Elections Statute Law Amendment Act, 1988, setting out new rules for municipal elections was introduced and passed hastily by the Liberal government less than a year before the 1988 municipal elections, and given that there have been numerous problems arising from the 1988 municipal elections; the government of Ontario should immediately initiate a review of the act, of the problems of administration of same, and should consider establishing some mechanism, such as a municipal election finance commission, which would ensure uniform application of the act.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes to make his presentation.

Mr McCague: It is my pleasure to bring this matter to the attention of the House and, in particular, to the attention of the government. I understand that the member for Durham-York (Mr Ballinger) has a little problem with this resolution because the word "Liberal" is mentioned in it. However, I did point out to the then minister that these acts were being passed rather hastily, given that there was some four to five months' space between the passage of the act and the 1988 municipal elections.

The minister, for some reason, seemed to want to rush it through. If the government has any notion that this was not passed hastily, there were some 840 municipalities across this province that told it. All the municipalities told it that it was being passed hastily and the opposition parties warned it that it was being passed hastily, and therefore there were some problems. I can understand the government being a little upset about the fact that it is cited in the motion, but by the same token, the citation it got is true.

I do not know how to handle that particularly. It must mean that as long as you do not admit you

are wrong, you are right. That must be what the government is doing because, as I say, it was pointed out to it by 840 municipalities and has been reiterated. I canvassed the municipalities in the province of Ontario to get not their comments about the Liberal government, but their comments about weaknesses in the acts as they presently exist. I got 55 replies which were very thoughtful and have some suggestions for the government. I will be passing those on to the member for Durham-York a little later, hopefully for action in the ways suggested.

Because the acts were passed quickly, the 1988 municipal elections were fraught with some confusion, error and frustration, mainly on the side of those who were responsible for conducting those elections as the government told them they should conduct them. I have been told that there is an internal review of the municipal election process being conducted by the ministry, but I do not believe that is enough.

As I said, I contacted every municipality in Ontario about today's resolution. Most who responded were not aware of the ministry review. All but one municipality agreed that there is a need for a second look at the changes introduced through Bill 106. If there is an internal review, why do these municipalities not know about it? How can the minister consider their concerns if they have not been contacted? So far the ministry has only met with the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers of Ontario on an informal basis to discuss possible amendments to the Municipal Elections Act. Neither of these groups has been asked to formally participate in a two-way discussion of what actually happened during the 1988 election and how to avert the problems in the next round in 1991.

Let's just take a look at what did happen. One municipal clerk referred to the 1988 municipal election as "the most difficult, frustrating and time-consuming election I have personally experienced at any time during my 24 years." He said that many of his deputy returning officers were so frustrated with the complexity of the process and the new enumeration methods that they will never again work in a municipal election. Many of the small rural municipalities felt that the

changes that were brought about by the act centred around correcting problems in the larger urban municipalities in general and in Metro Toronto in particular, a point that was brought to the attention of the minister during the passage of this act some two years ago.

The legislation did not recognize the diversity of Ontario's 839 municipalities and it gave no consideration to the fact that election problems experienced in large, medium and small municipalities are vastly different. For example, in many of the small rural municipalities candidates raise no money through contributions and spend very little, if anything, on their campaigns, yet Bill 106 requires them to fill out contribution and expense forms. This, according to one municipality, creates unnecessary work for the clerk at an already busy time.

Another concern expressed by a number of small municipalities was the requirement for two advance polls. This, they say, puts undue stress on the community's resources and is often unnecessary. They have no argument about one mandatory advance poll, but suggest that the second be optional.

Likewise, the requirement for handicapped access at all polling stations for the 1991 elections: Many small municipalities have indicated that this requirement will be difficult to meet, even though I agree with the ministry that it is necessary. The 1987 report of the Advisory Committee on Municipal Elections did recognize the differences among different-sized municipalities and recommended that any new legislation should provide for flexibility, where possible, in some of the administration aspects.

1010

Several municipalities said that changes introduced in Bill 106 resulted in abuse of the proxy system. Concerns were also voiced about the fact that the provisions of the bill allow a candidate to keep for his or her own purposes any contributions collected in excess of spending limits. This was considered to be a major flaw in Bill 106.

The administrative and contributions-and-expenses problems of the 1988 election were compounded by the new enumeration process which, as I indicated earlier, the government had passed shortly before the 1988 election. This resulted in confusion for municipal clerks, district returning officers and candidates alike. In one case, the number of changes to the preliminary list of electors increased by 3600 per cent compared to changes from the previous election.

Criticisms of the new legislation also focused on the role of the clerk. The clerk is almost

always the enforcer of the legislation. Many municipalities considered the new rules gave too much responsibility for interpretation to the clerk. This resulted in the act being interpreted in many different ways across the province.

The establishment of a municipal election finance commission, as I have suggested in the resolution, would ensure more uniform application of the act throughout the province. In fact, the 1987 report of the Advisory Committee on Municipal Elections also recommended that a provincial body oversee municipal elections. They just called it by another name, the Ontario local government elections commission.

Whatever the commission is called, I think it is incumbent upon this government to at least consider establishing a separate commission for local government elections or directing Ontario's Commission on Election Finances to oversee municipal elections in Ontario.

Almost all of the responses I received expressed a strong view that the confusion among candidates, the electorate and election staff was in most part due to the timing of the substantial amendments the Liberals enacted in 1988. According to the association of municipal clerks and treasurers, the provincial government contributed to the breakdown of the election process by adding to its complexity.

We will hear from the parliamentary assistant to the minister shortly and maybe he could answer these questions for me: What progress has his ministry made in the internal review, will he open up this review to individual municipalities and the public, will we see amendments to the Municipal Elections Act before 1991 and will these amendments include a commission such as the one recommended by the advisory committee or the election finances commission to oversee municipal elections in Ontario?

Mr Ballinger: I am very pleased to participate on behalf of the government this morning in debating resolution 25. Quite frankly, I am on pretty thin ice when I want to disagree with the member for Simcoe West (Mr McCague). In fact, the member for Simcoe West was the first member in the opposition when I was moved over on the rump side to take me under his wing and tell me to be quiet over there because the older members were having difficulty hearing the other speakers.

I would be very pleased to stand here in the Legislature this morning and support ballot item 27, but unfortunately I am afraid I cannot do that, I want to say to the member for Simcoe West.

There are probably 101 reasons why I cannot do that.

Since I only have a few moments, because I am going to be splitting my time with the good member for Scarborough-Ellesmere (Mr Faubert), I have to make the most of the time that I do have. I am surprised. If the member for Simcoe West wanted answers to those questions that he just asked in the House, I do not why he did not call me as the parliamentary assistant to the Minister of Municipal Affairs. I would have been pleased to pass on any information that is readily available about the review.

To be quite honest, I find it passing strange, to coin a phrase that is used in this House quite regularly, that we on the government side would be accused of hastily passing legislation. With the greatest respect, the Progressive Conservatives had the opportunity for 42 years to provide the municipal councils of the province of Ontario with some direction. They failed to do that in all those four decades plus two years of representing the provincial government here as the government. They failed to give any direction to municipalities.

From 1973 until 1985, more specifically from 1980 to 1985, when I was mayor of my own community in Uxbridge, just out of curiosity we did some data here on what the Progressive Conservatives did about municipal legislation related to contributions during that five-year period that I was mayor. Let me tell members, in 1980 the then PC government had a wonderful amendment to Bill 71. What they did was the amendment qualified the electors. There was a revision process, a nomination process, vacancy and other housekeeping changes—no accountability, no direction to the municipalities about municipal contributions.

In 1982, Bill 10, another amendment: The issue addressed was term of office. We went from a two-year term to a three-year term. I remember that so well: nothing to deal about accountability. In 1982, the Conservatives again the government of the day, Bill 119, another amendment: increased fines from \$1,000 to \$2,000, procedures regarding the opening of ballot boxes, granting municipalities authority to pass bylaws regulating limits on election contributions and disclosing. Interesting. Here is the difference from our legislation: Our legislation is mandatory. Bill 106 is mandatory; Bill 119, done by the PC government back in 1982, was optional.

Local option: I say to the member for Simcoe West, where have I heard that before, that term in

this House? At no time when they were in government did they say to the municipalities, "You must do this." They said: "You may do this or you may not do it. It's your choice." Consequently, that is why we have Bill 106, because our government said, with the greatest respect to the member over there, "You must do this; it's mandatory legislation."

I want to say to the member for Simcoe West that, as with any other piece of legislation, I think it is great for the member to stand in the House to say, "You guys were in such a hurry to get this legislation through that you botched it up," but I was here in the fall of 1987, rolling into 1988, when that gang over there was using stalling tactics, all kinds of petitions, bell ringing. We were trying to get our agenda on the table, but we could not do that because of all the other shenanigans that took place in this House. But we did get the bill through and it is a good bill. In fact, this is the only province in all of Canada that has mandatory legislation. We are the only province with mandatory legislation, accountability for those over 800 municipal councils in Ontario.

I want to say to the member for Simcoe West, who said that he had polled across Ontario and had received 55 responses, there are almost 900 municipalities in Ontario. He received 55 responses and he is going to base his position on the response of 55 municipalities? I want to say with the greatest respect, I would hope that when this review comes out from our minister, the Minister of Municipal Affairs (Mr Sweeney)—who as the member knows is a very consultative minister; there is going to be no review come out of his ministry that is not well thought out—it will address those issues that most municipalities found were the problem after the last election. We have until 1991. That review is currently in progress. The minister said at the standing committee on estimates that the review was in progress and that he will look at all of those areas of concern.

Mr McCague: Check the date on this resolution.

1020

Mr Ballinger: I say to the member for Simcoe West, he should check the Hansard from the estimates committee meeting, where the minister sat there—and his own members from his caucus were there—and where he publicly said he will review, and he will. By the time the election of 1991 rolls into place—

Mr McCague: That's completely irrelevant.

Mr Ballinger: I do not think so. There you go, Mr Speaker. The member for Simcoe West says it is completely irrelevant. Let me say to the member for Simcoe West, you guys over there cannot have it both ways.

The Deputy Speaker: Would you address your remarks through the Speaker, please?

Mr Ballinger: Sorry, Mr Speaker, but I am being harassed by the member for Simcoe West.

I just want to say, in the short two years that I have been here, I would really have thought that had the member for Simcoe West really cared about any proposed or future amendments, he would have drafted a resolution that he knew we would have supported. But no, he did not want our support at all. That is why he drafted this in such a fashion that we on this side could not support the resolution, because he does not want us to support the resolution at all. He wants to take issue so that he can write, as the critic, to all the municipalities in Ontario and say: "Those big, bad Liberals, they don't listen. They wouldn't do the necessary amendments. They rushed through the legislation. It's no good."

Contrary to the belief of the member for Simcoe West, again, I want to reiterate, we are the only province in the Dominion of Canada that has enacted mandatory legislation. You guys did not do that. You gave optional legislation. I was there. You guys did nothing to make any accountability in the process. I think the member for Simcoe West has a lot of nerve to stand up here in the House, quite frankly, and say, "What the Liberals have done is insufficient." If that is not the biggest joke I have heard in my 15 years in the political arena, I do not know what is.

I just want to say to the member for Simcoe West, so that I can leave some time for my good friend the member for Scarborough-Ellesmere, that the review is coming down the pike. We will address those issues, which the minister believes are a major concern to the people of Ontario, and we will make the necessary amendments.

The Deputy Speaker: May I take this opportunity to remind members that the standing orders state very clearly that no member may address another member directly, but through the Speaker, and using the third-person singular or plural.

Now, I am sure the member for Hamilton West will follow these standing orders very well, and the rest of you will also.

Mr Allen: Mr Speaker, I simply want to rise and report to you that the member for Oshawa (Mr Breaugh) intends to participate in this debate. He has been held up on the road. He sent

an indication that he hopes to be able to take his turn in the rotation at a future time. He should not be very much longer.

The Deputy Speaker: Who else would like to participate in the debate in the meantime?

Mr Faubert: Thank you, Mr Speaker. Indeed, I will try to adhere to the standing orders and address my remarks through you.

I would like to report that while I support the spirit of the resolution of the member for Simcoe West, and despite the fact that I am in support of some of the suggestions he made, not only in the resolution but in his speech in support of it, I cannot in good conscience vote in favour because of so many inaccuracies which are contained within it.

Since this government took office, there has been more reform of our municipal system of government than at any time in recent history. Reforms were implemented which have been talked about for decades.

These include Bill 29, which was implementing direct election to Metropolitan Toronto, which reformed Metropolitan Toronto. It reduced the size of both Metro and area councils and made the position of chairman of the Metropolitan Toronto regional council directly accountable to the electorate.

A new voter enumeration system was introduced by Bill 77, with a mail-in enumeration system which achieved and improved an impressive 90 per cent response rate, at less cost and with more accuracy than previous systems.

With Bill 106, arising from the recommendations of the Advisory Committee on Municipal Elections, by the way, which reported in February 1987—that was the consultation that went into this bill—every municipal candidate could run for election under an equitable system of ceilings on campaign spending by the individual candidates, and ceilings on campaign contributions.

As my colleague the parliamentary assistant to the Minister of Municipal Affairs, the member for Durham York, has said, the changes to the municipal election system were brought about in 1988 and represent a vast improvement over what had existed previously.

The amendments to the Municipal Elections Act were designed to accomplish three basic goals: to improve accessibility for both electors and candidates, to provide for a more accountable local government and to create a more equitable, efficient and effective electoral system.

The new legislation was designed to create a more level playing field on which people committed to their communities could run for office without having to spend large amounts of money. It limited donations to a candidate from any one contributor to \$750 and it limited the amount any candidate could spend, depending on the position the candidate was seeking and the number of electors in the jurisdiction. It has been admitted, reviewing what happened during the last election, that this is one area that needs reviewing and indeed is being reviewed, and the mandatory disclosure requirements allowed people to find out just who was paying the bills for municipal election campaigns.

The member for Simcoe West suggested in his resolution that these amendments were passed hastily. It is strange to see the opposition criticizing this government for lack of action—not for its lack of action indeed, but for its pace of action. To claim that this legislation was passed hastily is doing a grave injustice to the impressive legislative record in this area which I previously outlined and indeed to the consultation process that went on before it.

As a 17-year member of both Scarborough and Metro council, I, along with most of my colleagues on those councils with whom I had served, recognized the need for reforms and promoted such reforms for many years. I suggest that had the government not acted promptly and decisively in these matters, the opposition would have been proposing resolutions criticizing this government for inaction.

We all know that no legislation is perfect, and as a reform-directed government, we are not afraid to review and reform our own legislation.

As recently as last September, I wrote to the Minister of Municipal Affairs regarding some concerns that I had with municipal campaign surpluses of some municipal candidates. Indeed, in Metro, in the greater Toronto area, some surpluses were reported to be between \$3,000 and \$21,000 in municipal election campaigns. This money was raised under the auspices of its being used to finance campaign expenditures. However, if the municipality had not opted for the tax credit system—candidates now can spend their campaign surpluses as they wish. This is not new and it is not the result of this legislation. In fact, campaign surpluses have likely existed as long as municipal governments have. I do not recall having experienced this luxury during my own municipal campaign, but I know that if I had, in good conscience, those moneys could not

have been spent for personal or noncampaign use.

This is the first time I recall this issue being out in the open. Indeed, it is out in the open because there is mandatory disclosure. Disclosure is the key and it brings accountability. When the facts are out in the open, as the legislation requires, people can hold their elected representatives accountable for their actions. In fact, I would argue the people have just such a responsibility to do that.

I recall the member for Victoria-Haliburton (Mr Eakins), as former Minister of Municipal Affairs, said during estimates, quoting a well-known political commentator, “In a free society, the state does not administer the affairs of men. It administers justice among men who conduct their own affairs.”

I think that is the philosophy behind the reforms that were made to the Municipal Elections Act. The member for Simcoe West has said he wants a comprehensive review and I agree with him on that. Indeed, when I wrote to the minister, he wrote back to me and he said, and I quote from his letter of 12 October, “The Ministry of Municipal Affairs is presently undertaking a comprehensive review of all issues and concerns arising from the 1988 municipal elections.”

Indeed, he points out that the review also includes consultation with such groups as the Association of Municipalities of Ontario and the Association of Municipal Clerks and Treasurers of Ontario.

Since the review that this legislation recommends, which I support, is already under way, I suggest that this resolution is redundant and I suggest that the members of the House give it the vote that it deserves.

The Deputy Speaker: The member for Simcoe West may use some of the 15 minutes.

Mr McCague: Mr Speaker, we have just a little problem here, I guess, in that one party missed its turn. The second person from our party is not here at this time, and I am sorry that the member for Oshawa is not here, because he would darned soon straighten this government out, if he were. No doubt he is reciting his speech from somewhere.

1030

Mr D. W. Smith: You depend on the NDP, do you?

Mr Faubert: You're really struggling, George.

The Deputy Speaker: Order.

Mr McCague: Mr Speaker, given the problem that we are in at the moment, could you assist us? Could I talk for a while longer and refute all that—

The Deputy Speaker: You may use all the 15 minutes your party has, plus your two-minute response, if you want.

Mr McCague: Okay. Well, my colleague the member for Markham (Mr Cousens) should be along at any time.

I can understand the member for Durham-York and the member for Scarborough-Ellesmere having to stand in their places this morning and take the party line and try and shoot down a perfectly legitimate and sensible resolution that I put in Orders and Notices back on 25 July. The member for Durham-York refers to the fact that his minister said in estimates a few weeks ago what was happening. I know that. I was chairman of the committee. I asked the question. That has nothing to do with it. He was just filling time; that is simply all he was doing.

Mr Ballinger: That is what you are doing.

Mr McCague: He has no defence. The resolution is entirely accurate and should be acted upon, but somebody in his government said, "No, we cannot do that because it says in there 'The Liberals acted hastily.'" Well, how nuts.

I have had several from his party come over to me and say, "That is an excellent resolution you have, but the member for Durham-York will not let us support it because it says the Liberals acted hastily." It is the only time in their lives they ever acted hastily, but it was the wrong time to act hastily.

There is not a doubt in the world that every municipality told the government it is acting hastily on this. The municipal elections process is a big process for most municipal clerks, and I think really the key to it all—the member for Scarborough-Ellesmere is from a big Metropolitan Toronto-type council; the member for Durham-York is not. He is out there in the sticks like I am, and the councils are small and we do not need—

Mr Ballinger: You be careful. My mother is watching you.

Mr McCague: He talks about giving direction from Queen's Park out to those smaller places. We do not need his advice out there, and he did not need it when he was there either. He did not need that advice. I do not know where he got that whole list of garbage that he brought up about

what he wanted the government to do when he was there. He did not want them to do anything. He wanted them to leave him alone, and there are times when it is better to do nothing. But this government has stuck its foot in it, and that is what we are trying to point out to members in this resolution.

It is a friendly enough resolution. Everybody knows that it was done hastily, and everybody knows that we should make the best effort possible to make it better. That is what I am suggesting to the honourable member. He does not have to take my suggestions, but for heaven's sake, why does he not ask the municipal clerks and treasurers out there, who really are the people who have to conduct those election and have some problems with it?

Mr Faubert: We are.

Mr Ballinger: We are.

Mr McCague: Sure, he is now. He got the lead out of him after I put this resolution in Orders and Notices. That is very clear.

Mr Ballinger: Oh, get away. You better check the seat of your pants.

Mr Keyes: See where the lead really is.

Mr McCague: Mr Speaker, the members are very agitated this morning, and in particular the member for Durham-York.

The Association of Municipal Clerks and Treasurers of Ontario, one group that knows what it is talking about, even if the minister or the member for Durham-York does not think so, points out that at least part of the concern with respect to the confusion surrounding the 1988 municipal election must rest with the timing of the substantial amendments that were enacted in 1988. That is what they say.

If the minister or the member does not agree with me that they are the people who should know, this is what they are saying, and this is what they said on 26 September of this year, after I put the resolution in Orders and Notices, after I wrote them a nice letter saying, "Could we have any comments on this particular resolution?" There was nobody who wrote back and said: "You are wrong. The government didn't act hastily at all."

I had members over there come over and whisper to me quietly.

Mr Ballinger: Name names.

Mr McCague: I will, but outside with you afterwards. Even the honourable member for Durham-York feels bad that his government will not let him support such an abundantly sensible resolution. He feels real sorry about that and tries

to cover it up by making a lot of noise. However, we cannot do anything about that.

But to go on to quote, and I am sure members want me to quote from this, the Association of Municipal Clerks and Treasurers of Ontario says, "By continuing to add to the complexity of the process and by continuing to do so in a time frame that does not permit the adequate training of election officials or the education of candidates or the electorate, the provincial government is contributing to the breakdown of the electoral process." I mentioned who said this.

Now, if the member for Durham York wants to get up and say these guys are full of prunes and that this is not so, I would be glad to hear from him. The member asked me why did I not ask him these questions that I put on the record a little bit earlier. If he would just sit in his seat for a moment and listen to them, I am sure that he could answer the quiz during the discussion of this bill.

Just for the member's reaffirmation, the questions were: (1) What progress has his ministry made in the internal review? (2) Will he open up this review to individual municipalities and the public? (3) Will we see amendments to the Municipal Elections Act before 1991? (4) Will these amendments include a commission such as the one recommended by the advisory committee or the Commission on Election Finances to oversee municipal elections in Ontario?

The member will not have an opportunity to put these on the record today, but I am sure that he will check Hansard and write me a letter which will indicate the answer to all these problems.

The Acting Speaker (Mr Cureatz): We are continuing the debate of ballot item 27, private member's notice of motion 25, Mr McCague's resolution. Looking at the rotation, I understand there is a possibility of the member for Markham participating in this debate.

Mr Cousens: There is just a tremendous amount one has to say on this subject, and then there is the fact that I had a great deal to say in the standing committee on public accounts, from which I just came. It made it very difficult.

The first thing I want to say on this, if I may, is that I would like to congratulate the member for Simcoe West for bringing this to the House for our consideration. Something that happens in the Legislature is that we are very fortunate periodically to have gifted members from different ridings, and one of the most valuable, hard-working and experienced people in our caucus,

and I can speak for our caucus, happens to be the member for Simcoe West.

I want to thank him for the leadership he gives not only in this resolution but also in what he has done for the people of Ontario, for his riding, and certainly for the people in the municipalities who are concerned with what is going on with municipal politics.

I have to say that when we had Bill 106 come before this House not all that long ago, it was one of those bills that came in very hastily. It seemed ill prepared. It surprised many of the clerks and the people at the municipal level as to just what it was going to do to them and how it was going to cause municipal elections to function. It raised serious questions about the enumeration process. It did cause a number of recounts across Metro.

Certainly it had an effect on clerks in the way in which they were conducting their business. It wreaked a certain amount of havoc and, I would have to suggest, for the sake of making the electoral system function as it should, so that everybody who is part of this province and every municipality is encouraged to run, encouraged to participate, encouraged to vote and is satisfied that all those processes are handled in a way that understands and appreciates the complexities of democracy.

1040

Is it not funny? Here we are in Canada taking democracy so much for granted, and yet the people in eastern Europe are clamouring for it. They cannot wait to be able to use the ballot box. They cannot wait to be able to make their views known. To them, that is something they have been deprived of and now they have a chance of getting it, and look how excited they are. I know I am excited for the people in East Germany and I am excited for people in Czechoslovakia, Poland and all around the world—Namibia, where they have just got the vote.

There is so much happening for democracy. Why can we not also have the same sense of urgency around the democratic rights that take place at the municipal level in our province of Ontario? To me that is something we can encourage and build upon by having a process that works and having a process that says to those people who will vote, or those who should vote or should run, that they are satisfied the system is working as it should.

I do not think there is any doubt that the survey that was done by the member for Simcoe West has determined that there is a tremendous amount of dissatisfaction across this province among municipalities and others with the failure of the

province to do something right. The province comes along and seems to have the power of its large number of seats and, therefore, whatever it does seems to be right just by virtue of its size. It is not.

I happen to believe there is an awful lot that could be done to clean up this bill. It has to do with the potentiality for corruption and problems that go outside of the thing. Let's not hide it. It is there. Yet how do we have a chance to get the public involved unless the government gives some leadership on this issue? The fact of the matter is that this bill we are looking at among the municipal election acts—there are different ones—seems to be an open-ended invitation to corruption.

What happens is that any municipal politician or person who runs for office raises the money for the electoral process. The question is raised as to what they do with the left-over money in the coffers. What happens if they do not spend all that money?

I have to ask you, Mr Speaker, what happened with the money raised by regional councillor Michael DiBiase in Vaughan, who raised over \$100,000 and had a surplus of \$8,608, after spending \$26,000 on a victory party. What is going to happen with his left-over money? What is going to happen to Frank Cippolone, who raised \$66,000 or more and had \$27,000 left over, or Peter Meffe in Vaughan, who had another \$11,000 left over?

How many politicians had money left over and how many of those dollars ended up in their own pockets? I do not know, but I would say there should not be a system allowed to exist that allows for money that is given for the political process to end up in their back pockets.

Mr Ballinger: You allowed it for 40 years.

Mr Cousens: If the member for Durham-York supports that, he is less a man than I thought he was. Maybe when he was mayor of Uxbridge they did that. I doubt it, because he happens to be a man of some integrity, but let's put the integrity in the law so that everybody is going to be protected. All they are doing is giving an invitation for corruption by having a bill that is so open-ended; it is not really closing the doors to those opportunities for people. I withdraw any allegation about the member for Durham-York because I happen to know him to be an honourable man and I would not want to accuse him of something that is going on right now.

We are talking about a situation that does not need to exist. It could be modified in such a way that we would have a commission that looks after

the elections of municipal politicians. We have one at the provincial level and one at the federal level. Why do we not have some kind of commission that can be used as a buffer to answer those questions and resolve those concerns? If a municipal politician has a question about the electoral process, then he can go to that commission, receive assistance, guidance and supervision.

This is not something to be taken lightly; it is something that we as a Legislature should take very, very seriously. I think it is for us to do everything we can to make sure that the democratic process in this province at every level works correctly and well. It does not right now. There is no doubt that there are still—I just wish the member for Simcoe East (Mr McLean) was here because he could tell us in detail what has happened in Tiny township. I understand there is still a situation there where a recount has not been completed yet. Why? Why do the media not look into that one? There are enough other—

Interjection.

Mr Cousens: There are no media around here today and they are probably not even watching this thing. They could not care less it seems.

I happen to care a great deal about the resolution that has been put forward by the member for Simcoe West. We do not want to open the can of worms. We want to let everybody in Ontario think that things are just perfect in the grand province of Ontario. Until you start dealing with some of the issues and the problems that are being raised, it is not perfect, but we are in a position that we can make it better and we can make it better by making amendments and changes to the law. Open it up so that everybody can have a chance to just see what can be improved.

That is what the member for Simcoe West is asking for and that is what I am supporting. In fact, after it has gone through public dialogue and public discussions, the Liberal majority comes along and says, "Things are just perfect," then I will have to sit down until we get another resolution like this. But eventually they are going to accept the fact that things need to be improved and that is what we are asking for in this bill.

Mr Ballinger: You missed the debate, Don. You should have come early.

The Acting Speaker: Continuing the debate, the member for Oshawa.

Mr Breaugh: To tell you the truth, Mr Speaker, I would like to give you about 15 minutes on the road system in and around

Metropolitan Toronto. There were a couple of drivers on the Don Valley Parkway who deserved a few words this morning too. But I will not do that.

The resolution before us I think is a good one. As a matter of fact, there is only a little part of it that I would disagree with and I will come to that in a minute.

Last year, in the course of our deliberations here, we went through a rather large number of changes to the electoral process municipally. Most of those were things that many of us have argued for for a number of years. The concerns that were expressed in the House were not about the principles of the things that the government was proposing. It was basically an argument about how practical it was to try to do all of those things in a very short period of time.

Now I guess, to be fair, one should give both sides of the argument. There was nothing that this government proposed just prior to the last municipal elections that was secret. There was nothing that had not been discussed a great deal over the last decade. It had been the subject of commissions set out by the provincial government. It had been discussed by various committees in the municipal organizations. It had been discussed here.

There were a number of changes that were long overdue. The question was not whether they were good changes or bad changes. The question was whether they could be implemented effectively in time for that particular set of municipal elections. In my view, I did not think they could be. Hindsight, being one of the best ways to watch how the electoral process works, tell us that it did create some problems. I do not recall any set of municipal elections when there was quite so much confusion about what the rules of the game were. I do not recall a municipal election when the lawyers have been quite so busy. I do not recall one where there have been so many challenges to the validity of the electoral process.

We can withstand all of this. We did obviously. Society did not crumble. The municipal process grinds on, but there were things that happened that frankly should not have happened. It is confusing to watch election night results that are challenged that night, challenged the next day, challenged repeatedly thereafter and, in some instances, we are still not sure who actually won the election. Actually, in part, some of the stuff is not the government's fault. This government did not make the decision to use a different voting process in certain of our jurisdictions, like

the city of Toronto, that caused immense problems. The end result of that, I am told, is that somebody used the wrong-sized paper and so the voting procedures could not work.

Those are things that you cannot foresee, but some of the things should have been thought about beforehand, and I know were. I am reasonably sure that the minister of the day did not act in a sense of rashness. I think he honestly believed that these things were possible to do in a very short period of time. My experience in municipal politics told me they were not. They might have been possible if you had, for example, a provincial election machinery at work where it was all done out of the jurisdiction of one person. Then from one centralized source you could make changes of that nature to the electoral process because one person was making the decision, one person would be laying out the instructions for the elections to be held all across Ontario.

It would have been possible on that basis, but that is not the way that municipal elections are conducted. They happen in a variety of ways in different municipalities, some of which are very sophisticated places one could argue, I think, in the city of Toronto, North York, Oshawa, Windsor, Thunder Bay. In any of our large urban centres there is an ability to compete with whatever changes this or any other government wanted to put forward, to adjust or to get ready in a fairly short period of time, because they have the machinery. They have the people to make those changes happen.

But in many of our smaller municipalities the entire clerk's office consists of somebody who is there a half a day a week. That is hardly conducive to picking up on what the changes are, let alone implementing them. There was a good deal of confusion. In our idea of a democracy confusion does not help much. That, I think, is at the heart of what this resolution talks about.

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It is probably true that this is not news. I recall after the municipal elections there was a spate of news stories about confusion on election day, confusion about what the rules were, confusion about whether people had to conform to a municipal election expenses law or not. I think there were two municipalities that actually opted into the system in total. Most of them have gone through the disclosure period now. Most of the people who ran for municipal office did conform to the disclosure provisions, but not everyone did. Now the clerks are sitting around wondering: "What do we do if they did not offer a

financial statement? Do we assume they did not spend any money?"

For those of us who have been in municipal politics for a while, it is quite true. I know lots of people who get elected municipally and do not spend a dime. They barely buy a cup of coffee with a constituent. They do not put out any pamphlets. They do not advertise. They walk up and down the streets of their community and talk to people, which is probably politics in its purest form.

But some people did disclose and there was some kind of confusing results. I have been involved in a number of elections. I do not recall an election that I have ever been involved in where at the end of it all we had a surplus, a pile of money and we did not know what to do with it. There are municipal candidates who have declared a rather substantial surplus.

What happens to that money? Do they go and buy a new Chevy? I hope they do. We are a little short of Chevy sales in Oshawa this week, so it would be nice if they did that. Does the money go to the clerk? Does it go back to the people who gave them the money?

There is an initial canvassing of who donates to municipal elections. This is one of the good things that I believe came about through the recent changes. There is now a record of sorts of who donates to municipal political campaigns. I find it a little disturbing, for example, that the development industry is quite so active in financing municipal political efforts.

This is pretty natural. When you stop to think about it, who is interested in municipal planning decisions? I know a lot of developers who are very interested in municipal planning decisions. They are among the few people who attend planning committee meetings, for example. They and their lawyers and their architects and anybody else they can drag up are always at the local hearings about planning matters. It should not be surprising then that, come election time, those folks have an interest.

Now here is the interesting part. We know that they are interested. We know that they donate heavily to municipal campaigns. Does that have an influence on local politicians? Everybody I know who is elected municipally would say, "Oh, gosh, no, we would never let them influence our decisions," but they are there and they certainly listen to them. If they donate to their campaigns, perhaps they listen a little more attentively to the arguments from the development community than they do to those from the

South Oshawa Ratepayers' Association that forgot to donate to their campaign.

All of us go through the same process as well. All of us have people who contribute to our political campaigns and on a regular basis in here somebody pops up with the latest disclosure statement and says, "Somebody gave you \$750 and so that has influenced your decision." We do not really know, to be honest, whether it does or does not, but it is true and there is no question about it that a developer who donates handsomely to a local political campaign expects something in return and he gets something in return. What we do not know is precisely what he gets.

For example, I think it would be wrong to say that he just paid \$2,000 into a local political campaign. For members who want to challenge that, "That's not legal. They are not supposed to do that. There's supposed to be a limit," let's not be too stupid. If there is a developer out there who cannot figure out how to get around the biggest loophole in the Election Finances Act, he is not going to be in business very long. If there is a developer in the world who cannot figure out that if there is a cap on the amount that you are allowed to donate and the cap is \$500 or \$750 or \$1,000 and you want to give somebody \$10,000, you can probably get out a calculator and figure out how many of your employees are going to donate to that campaign. These folks are not stupid. That is exactly what they do.

There is something that I think needs a little look at again: How appropriate is that? How would we control that? Are the disclosure statements accurate? Do we have any means of checking those statements? Do we have any means of dealing with the surpluses? Now, frankly, is the time when the government ought to be taking a look at all of this. All of the changes that happened before the last municipal election should be reviewed actively by the government. I am sure there are ministerial committees that are doing precisely this now. I think the resolution itself simply calls for the attention of members here to the same kind of process, so I do not think the member is asking for anything which is unusual or unwieldy.

I want to get to the one thing where I have a little disagreement with the resolution. The member is suggesting that this government did something hastily. If anything, this government cannot be accused of moving hastily on anything. I have never seen a government that came in here so regularly with a bill in this hand that it touted to be the bill of all time, and then the next day walked in with 52 amendments in this hand to

amend the bill of all time. This government has made a practice of that.

I want to speak just for a moment or two about the legislative process and how it should work. As I understand it, it is a long, slow, painful thing. To get a piece of legislation out of ministry staff, to get it through whatever kind of consultation process we want, to get it through all the interministerial committees, all the committees of cabinet, through the cabinet, through the Legislature itself, through our legislative process, to get all the regulations written, to get all the sections proclaimed, to get it actually put into law and into practice takes a long time, and it ought to.

It should not be a quick process. There is a very good reason why this is a long, painful piece of business. It is because, very simply, once we make a law, once we put it in practice, it is not simple to change it. So it should be a long, slow, thoughtful process. It should also be an open process. It should be one where the contact points with the people who are going to be affected by this law are visible: we know where that consultation took place. That should not be done in secret, in my view.

It should also be a process whereby, when the government is ready to actually introduce a bill into this chamber, it should be reasonably confident that that bill is in its final form. I want to spend a little bit of time on this because I think this is important and it is a practice in this House which I see happening more and more and which I regret.

We sometimes chastise the previous government for really dragging its feet on introducing the legislation. But having seen kind of two modes at work, I think I would prefer that one as opposed to what I see happening now. I get nervous, frankly, when I see a minister of the crown stand up proposing legislation today and then going off to committee with a raft of amendments tomorrow. Where did these come from? If these are good ideas, if these are just drafting changes, why did someone not pick them up in the internal process before the bill was tabled?

I believe that is an indication that there is something wrong in the process that this government is using. It may well be that these are just drafting problems, but I cannot believe that. I see more and more amendments being proposed that I believe are substantive. If they are drafting problems, I would call to the government's attention that that is an indication of some sloppiness somewhere. We know that the partic-

ular words that are chosen and the way they are placed in a clause in a bill are important. They are important.

Mr Haggerty: That is not common language.

Mr Breaugh: It is not common language, that is true. This is not writing a note to your mother about why you are going to be absent today. This is going to become a law. The exact word that we use has a legislative history attached to it. It has a framework. When it goes to court, we know that certain words will be dealt with in certain ways. I simply want to pick up on that point because I think the government is somewhat guilty of doing some things that are less than what the people of this province deserve. They deserve reasonable amounts of consideration.

If there is something in here that happened, it was not a matter of haste. It was a matter of timing. I believe that the government misjudged and I believe that many municipalities told it up front that it was making a mistake when it introduced those things at such a late date. I think the practical application of the changes to the Municipal Elections Act were such that municipalities deserved more notice than they got.

1100

If the government had problems during the course of the last municipal election, they were problems it should have known about. They were certainly told about them here by members of the opposition. I know they were told about it them members of various municipal organizations, who tried to caution the government that it was suggesting things that they were not in disagreement with, but, and they told the government this loud and clear, it could not carry out those changes on that scale in such a short time frame and that they needed more notice. I believe the government committee told the government precisely that as well, that there would be a cutoff date after which the changes were not practical any more and it would have problems.

I think there were difficulties in the last municipal election. Those problems still exist today. Now should be the time for the government of Ontario, without the pressure of an election in the near future, to take a careful examination of what actually went wrong and what it might do to fix it. That is precisely what this resolution calls for and that is why I believe members on all sides ought to support the resolution that is before us this morning.

Mr McCague: I would like to thank the member for Oshawa for his insight in this matter and my colleague the member for Markham. I

would like to thank several backbenchers from the governing party who came to me and said: "It is a great resolution you have. I would love to support it. I think you are right, but the government will not let us support it. So be it and we will talk to you another day."

There is every indication that this was a hasty bill. That was mentioned over and over again prior to its passing in this House and there can be no argument about that.

The member for Oshawa referred to the difficulty with legislation that is being introduced by this government and the number of amendments that result between the date of its introduction and the date of its passage. Bill 77, one of the bills we were talking about, was introduced and when it went to committee stage the government itself brought in 30 amendments to that bill. There has to be something the matter. Maybe they did not listen to the municipalities prior to the introduction of the bill. Maybe the municipalities had input between the introduction and the passage. But to have 30 amendments to a small bill is something that I think is an indication of the way this government brings things into this House. Do they give any thought to it before that time?

It is an abundantly sensible motion that deserves the support of all members of this House. All municipalities support it.

PURCHASE OF WINE BY CREDIT CARDS

Mr Dietsch moved resolution 31:

That, in the opinion of this House, recognizing that credit card purchases are not permitted in winery stores; and that purchasing by credit card is a socially accepted method of payment; and that wine beverages can be purchased at hotels, restaurants and duty free stores using a credit card, the government of Ontario should make changes to the appropriate provincial government policies in order to allow for the purchase of wine by credit card in wineries and wine store outlets.

Mr Dietsch: Mr Speaker, I would like to take this opportunity to thank you for allowing me this chance to discuss my private member's resolution. As you are aware, it has to do with a change in policy direction that would allow for the purchase of wine by credit card in wineries and wine store outlets.

Imagine that you are a tourist in Niagara-on-the-Lake and after you have had a very enjoyable lunch at one of the many fine restaurants, your next destination is a local winery. You are interested in Ontario wines and wish to sample

different varieties. Luckily, you have managed to hit the winery just as a limited-edition wine has become available. You taste it. It is just what you have been looking for. You decide to buy three bottles.

As you prepare to pay, the salesperson remarks on how fortunate you are to have come at this time since this wine only comes out once a year. You respond that it is the perfect complement for a small 50th wedding anniversary dinner you have been planning for your parents. You hand her your credit card and she politely tells you she cannot accept it. You feel insulted. Embarrassed, she kindly explains that wine unfortunately cannot be purchased by credit card at a winery or wine store outlet in Ontario. In your wallet you find \$10, nowhere near enough to purchase these bottles. Totally embarrassed, you leave, unable to purchase that wine.

As you walk to the tour bus, you cannot figure it out. Why? Just at lunch, you had a bottle of wine with friends and paid for it by credit card. What is the difference? Hotels and restaurants accept credit cards. Liquor Control Board of Ontario duty-free stores accept credit cards. Wineries do not. Is this 1989 in Ontario?

I believe that the extension of credit card facilities to Ontario winery retail stores probably represents the single largest increase in convenience that can be offered to consumers. Credit cards can now be used to buy prescription drugs, pay your dentist, buy groceries, pick up your dry cleaning—an endless list of services. In fact, the Law Society of Upper Canada allows its lawyers to accept payment by Visa, Mastercard or American Express.

It is indeed ironic, not to mention discriminatory, that consumers may sit in a tavern all afternoon drinking and then pay for it with a credit card—

Mr Wildman: You advocate that?

Mr Dietsch: —while the same convenience is denied to those who wish to purchase a bottle of Ontario wine for home consumption or for that special occasion.

Purchase of wine by credit cards is widely accepted in the United States. Our neighbour, New York state, has moved to permit purchases by credit cards, a very progressive step for its wine industry.

At this time, let me speak to a number of different but related points. Given the combination of market forces and current federal trade policies, the use of credit cards in wine stores could form an important adjunct to a broader government strategy focused at lessening the

impact these forces are sure to have on the Ontario wine industry, particularly in the Niagara region.

Mr Wildman: When is that going to happen?

Mr Dietsch: As members of this House are no doubt aware, to comply with the provisions of GATT and the free trade agreement Ontario began in 1989 to phase out the markup differentials that are viewed to currently give Ontario a competitive advantage. Over the next nine years these differentials will be reduced. American competitors such as Gallo have been increasingly aggressive in their marketing strategies within our province.

Tourism itself, my friend opposite will like to know, plays an extremely important role. When people visit anywhere, they like to be able to bring something home with them to remind them of the places they have visited, or that special gift for family and friends.

Winery tours have developed into a major tourism attraction. They have also proven to be a very key component in marketing programs. Many consumers are interested these days in wines and the high calibre, I might add, of the wines being produced in Ontario wineries. Tours of wineries allow consumers the benefit of the information provided by qualified guides, and they sample wines to enhance their understanding as well. A natural conclusion to these tours is being able to purchase wines they have found suitable to their taste and their palate.

1110

Permitting the use of credit cards in retail stores and wineries would involve some 20 retail operations throughout this province, and all are located within areas strongly identified internationally as tourist designations.

Furthermore, the sheer volume of tourists throughout the region's wineries is staggering.

Some statistics: Hillebrand winery throughout 1989 has conducted 600 prebooked, private tours. There have been approximately 475 drop-in bus tours bringing in roughly in the neighbourhood of perhaps 22,000 to 23,000 people. Finally, from December 1988 until the present 1,900 public tours have taken place. In September alone, over 3,000 people visited that single winery.

Between 70 and 75 per cent of these ask why they cannot use their credit cards to make purchases. It does not take a mathematician or my friends opposite to realize how much business has been lost there, not to mention the large number of American tourists who do not purchase because of this single inconvenience.

Inniskillin's famous ice wine, for example, which is available only once a year and in very limited quantities, sells for \$40 per half bottle. How many of the members of this House carry enough cash to purchase three or four of those bottles? In my riding, Konzelmann winery, Reif Winery and Château des Charmes wineries have similar inconveniences placed on them because of this policy.

The benefits of credit card use are simple and practical. We know credit cards will not solve the competitive problems entirely, but they may play an important role in attempting to halt the shrinkage of the wine and grape industry in the Niagara area. It would be a boost at a time when both trade policy and market forces are pressuring the industry. Perhaps allowing wineries to do business on Sundays would be another; of course, only those in tourist-designated areas.

Credit cards permit purchases that otherwise may not be made. Consumers generally do not carry large amounts of cash, particularly—

Mr Wildman: Particularly if they're spending it all on booze.

Mr Dietsch: —because of the convenience of using credit cards. If my friend opposite would like to listen, he might learn something.

Retail outlets on the premises of wineries are likely to make sales to tourists and other purchasers who have attended a winery tour and who may not have easy access to Ontario products otherwise. After all, the Niagara region is a designated tourist attraction worldwide.

Other small-purchase consumers might not otherwise make purchases if a credit card was not accepted. Past experience at two airport duty-free stores indicates that there were 150 to 200 customers per day being turned away because they could not make credit card purchases, estimated at approximately \$2,000 per day in lost sales. That is just one segment of the business.

My belief is that interested tourists, consumers or wine connoisseurs would definitely enjoy this opportunity. At the same time, we would be assisting an industry that I know could use a significant boost at a time when market forces and trade policies are making it more difficult for them to compete, market forces, I might add, that are outside the wineries' control.

I believe the use of credit cards in wineries and winery retail stores would be perceived as a very concrete action in this direction, and I wholeheartedly ask members in this House to give that resolution support.

Mr Wildman: I must admit that I am of two minds on this resolution. I enjoy Niagara wines.

My wife and I often purchase Niagara wines for dinner on Sunday, whether it be Inniskillin, Château des Charmes or others. It is very good quality and very competitive. The cottage wineries in Niagara have made a name for themselves and I am sure they will be able to compete in the more difficult competitive world today with Gallo, some of the European wines and wines from other parts of the world.

However, I do not think the resolution put forward by the member for St Catharines-Brock this morning in any way responds to the very difficult problems facing the wineries in Ontario or the grape growers who supply those wineries. In a way it is almost an insult to them to have this kind of resolution brought forward as some sort of solution to their market problems.

To suggest that allowing consumers to purchase wine by credit card is somehow going to resolve the difficulties these wineries are now facing as a result of the inability of the provincial government to respond to their needs in the face of the GATT resolutions and GATT decisions and the negotiation of a so-called free trade agreement between the United States and Canada by the federal government, I think is really insulting.

When I first saw the resolution in Orders and Notices, I suspected that perhaps the reason it was there was because today is the day Beaujolais Nouveau comes on to the market. Maybe the member was hoping to take a few bottles home with him. If this resolution could pass and the regulations changed quickly enough, he could purchase more than he would be able to purchase because of his low cash reserves.

However, in listening to his speech I came to the conclusion that he really was serious in saying that it was not for those kinds of reasons, but rather was to deal with the problems facing the wine industry and the suppliers of that industry in Canada, specifically in Ontario and particularly in Niagara. He also went on to say that he thought it would help the tourist industry in Niagara.

Let's look at these problems for a moment. The member indicated that this policy change could be an adjunct to a broader government strategy to deal with the market problems facing the wineries in Ontario today. I think those are the words he used. It would benefit us all, and certainly benefit the wine industry in Ontario a great deal, if instead of debating this kind of resolution we were in fact debating a broader

government strategy for dealing with the problems facing the wine industry in Ontario.

It is unfortunate that the member for St Catharines-Brock had to bring this resolution before the House because his government—the Ministry of Agriculture and Food and the Ministry of Consumer and Commercial Relations—has failed to respond to the concerns and problems facing the wine industry in Ontario. Rather than an adjunct to a broader government policy, this is really an excuse for some kind of policy change when absolutely nothing is happening.

Mr Dietsch: How many grapes do they grow in Sault Ste Marie?

Mr Wildman: The member asks how many grapes they grow in Sault Ste Marie. Well, they do not grow very many grapes in Sault Ste Marie because of the climate, although certainly the ethnic community in the Sault is well known for purchasing concentrates and making its own wines, very good quality wines. Many of those concentrates used to come from Niagara. Unfortunately, now the vast majority of those concentrates come from the United States because of the free trade agreement.

It does not in any way assist Niagara grape producers to have this kind of resolution before the House. We all recognized that the grape growers, particularly those supplying the large Ontario wineries—I use “large” in a relative sense because they certainly are not large in comparison to their American competitors—were going to be in very serious difficulty when the federal Conservative government negotiated the free trade agreement; so a program was developed to assist grape growers to get out of the industry or to take their vineyards out and to try to change to some other kind of crop.

1120

Interestingly enough, the Ontario growers got a lot less than their counterparts in British Columbia. I suspect that is simply because the provincial Liberal government here in Ontario, in this jurisdiction, was so less effective in negotiating with the federal Tories than the government in British Columbia, for which I would not give any praise, other than to say at least perhaps they stand up for their grape growers better than the Liberal government does in Ontario.

Mr D. R. Cooke: They wanted a government that was in favour of free trade. Isn't that what you're saying?

Mr Wildman: It is interesting. I have very little respect for Premier Vander Zalm, but I will say this for him: If he believes in free trade, he says so, unlike the Premier (Mr Peterson), who believes in free trade and pretends he does not.

I remember a famous speech not long before the election where the Premier set out six conditions which he said had to be met and if they were not met there would be no deal. I think the phrase he used was, "The bottom line is there will be no deal." You and I know, Mr Speaker, and all the members of the House know, that not one of those six conditions was met, and yet we still have a deal.

Certainly the Premier was not the one negotiating the deal. The federal government and the Prime Minister were, and his colleague the Minister for International Trade at the federal level.

Mr Haggerty: Where was your party in Ottawa on it?

Mr Wildman: To be fair, the federal Liberal Party and the federal New Democratic Party fought against the free trade deal in an election campaign. But we had a Premier in Ontario who said at one point he had a veto. He said he could exercise that veto. Then he backed off. He said maybe he did not have a veto, and even if he did have the veto he was not going to exercise it because he said something to the effect that he did not want to balkanize the economy of the country. He did not want to disrupt the situation because, after all, the federal government had the main responsibility for international trade.

I never thought I would be brought by my opponents across the way in this House to the point of actually having to give some praise to Bill Vander Zalm. But this resolution is so insulting to the grape growers that it is not as good as Bill Vander Zalm's program for the grape growers in his province.

At one point the member for St Catharines-Brock said it was unfair or silly to have a situation where a person could drink all afternoon in a tavern and then pay by a credit card. I hope the member was not advocating that, that people should drink all afternoon in taverns and then pay by credit card, because if that is what he is suggesting, he is going to bring all kinds of social problems into this jurisdiction.

To suggest that people should drink all afternoon in taverns and then be able to pay by credit card is to indicate his lack of understanding of the problems of family violence and so on that result from alcoholism and his inability to deal with the fact that people do indeed drink all

afternoon, unfortunately. Is the suggestion that these kinds of people who do unfortunately spend all afternoon in taverns and who can have and do get credit cards from banks should therefore be able to buy booze on credit? Should we be expanding that kind of situation or should we be trying to curtail it? Do we really want more people to drink all afternoon in taverns and then to be able to pay by credit?

Mr Dietsch: You're twisting the words, and you know it. That's disgusting.

Mr Wildman: It is most disgusting. What is more disgusting than that is the fact that this member, on behalf of the grape growers and the wineries in his area, is not getting up in this House and criticizing this government for not providing adequate assistance to the grape growers to ensure that the grape growers who have to get out of the industry, unfortunately, are getting the assistance they need.

A large number of grape growers are not eligible even for the inadequate assistance being provided because they got into the industry at the wrong time. It is unfortunate, but there are a significant number of people who bought vineyards not long before the negotiation of the free trade agreement and the GATT rulings who, because of when they purchased, are not eligible for the assistance program to help them get into other types of agriculture. Why is the member not getting up and defending those people instead of advocating credit cards for people who drink?

The member for Brant-Haldimand (Mr R. F. Nixon), the Treasurer of this province, is well known for advocating what he calls fiscal responsibility. He always shows fiscal responsibility. I think it is rather strange that the member for St Catharines-Brock, who is not criticizing this government for not providing adequate assistance to the wine industry and to grape growers in Niagara, at the same time is going against the concept of fiscal responsibility that is advocated by his government.

Surely one of the most important aspects of fiscal responsibility is to pay as you go, to ensure that you have the resources to pay for the services and the goods you are purchasing.

Mr Miller: Good principle.

Mr Wildman: The member for Norfolk (Mr Miller) says it is a good principle. Perhaps he could persuade his colleague the member for St Catharines-Brock that we should not be advocating the purchase of booze on credit but we should be paying as we go, that members of the public should be fiscally responsible.

Mr Miller: You're wrong. A credit card is used as money.

Mr Wildman: A credit card is used as money? That is true in our society. Credit cards are used widely. The fact that we run our economy so much on credit, to me, does not persuade me that we should be expanding this situation, particularly a party that advocates fiscal responsibility.

Mr Haggerty: How many cards have you got?

Mr Wildman: How many do I have? I have three credit cards. I must admit that of those three, I use only one, the gasoline credit card, regularly. The others I do not.

Mr Haggerty: For emergencies?

Mr Wildman: Yes, I have them for emergencies. But I would not include among so-called emergencies the purchase of a bottle of wine. I really would not consider that an emergency. I do enjoy wine with dinner, often, but I always believe that it makes sense to purchase that with the folding money that I have in my wallet; if I do not have that folding money, then I do not purchase the bottle of wine.

I think we should be doing all we can to assist the wine industry in Ontario to deal with the free trade and GATT rulings. I think the government should be bringing forward a comprehensive policy of assistance to the wineries. I suppose this is sort of an ineffectual, not too harmful resolution, not one that people should get upset about; but it is certainly not one that people in the wine industry should jump for joy about because it is not going to deal with their problems.

1130

Mr Pollock: I am pleased to be able to take part in this debate, and I can appreciate the member for St Catharines-Brock in bringing forth this resolution. I know it is a concern and it will be a promotion to an industry in his particular area.

I would not have any problems with this particular resolution if it had a top figure on it. What I mean by that is the fact that if you were in the tourist business and travelling in the Niagara area and you went into a winery to buy many cases of a particular kind of wine to take it back to your area, say it be the Muskokas, Peterborough, Haliburton or North Hastings, I would not have any problem with that.

Unfortunately, the resolution does not say that. It has not got a top figure. It just mentions the purchase of wine in a winery or a wine outlet. I would have some major concerns with that. I do not believe in some ways we should discriminate. A wine outlet, I believe, would be like a

little store in the hamlet of Stirling where liquor, wine and beer are sold. Would it not seem rather funny if you could walk into that store and purchase wine with a credit card, but you could not purchase beer or liquor with that credit card? People would start to get very confused, and I think it would be very confusing. It would be kind of confusing to people coming in from the United States or some other country to run into this particular situation.

I am sure the member for St Catharines-Brock is concerned. He feels, and rightly so, that the wine industry is very important to the province; but so are other industries along that same line. For instance, I used to represent Thurlow township. Corbyville is in Thurlow township. It is a good corporate citizen—leaving aside the effects that alcohol has on the general public—it pays reasonably good wages, it does not pollute, and it also buys grain from local producers. As I say, it provides employment in that area, and I always felt that the people who worked at Corbyville appreciated having a job there and that particular industry contributed to the local economy.

If you are able to purchase wine by credit card, why could you not purchase distilled beverages such as alcohol too? I think we are getting into a field that maybe we should not be getting into as far as purchasing beer, wine or alcoholic beverages with credit cards is concerned. People tend to overspend especially when they use that plastic money, and that would be a concern of mine. I guess in that respect I would be voting against this resolution.

Mr Haggerty: I rise to speak in support of my colleague the member for St Catharines-Brock regarding his private member's resolution, motion 31, to permit the use of credit cards by consumers for the purchase of bottled wines in winery retail stores and wineries in Ontario.

As members are aware, the international trade environment is becoming increasingly competitive. The United States and European Community have complained about the preferential marketing advantages provided to Ontario wines. The recent federal government trade agreement with the United States and GATT rulings have created adverse implications for the future of the Ontario grape and wine industry.

To comply with the provisions of GATT and the free trade agreement, Ontario began in 1989 to phase out the market differentials which currently give Ontario wines a competitive advantage. As well, a recent audit of LCBO cost of service for table wines indicated that LCBO

markups on imported wines are not justified, resulting in lower markups, which make these imports more attractive to consumers.

I was fortunate enough to be on the standing committee on finance and economic affairs that went off to Europe a year ago, I believe last September, dealing with free trade and GATT. At one of our dinner sessions we sat down with a group of people from the European Community and discussed some of the issues, particularly related to the wine problem in Ontario. One of the persons talked about a GATT decision at that time that brought about some of the difficulties we are facing now.

This person said, "We can travel from Brussels to the southern part of Italy, to Rome and that area, in eight hours." I said: "That's amazing, isn't it? I cannot understand why GATT made the decision it did." I said: "It's just as well that you can have your wine exported to Canada, to Ontario and Toronto, by ship. If you want to have that market in the province of Ontario, you're probably looking at about 1,500 miles by car, east to west and north to south. You could put I do not know how many Frances, Germanys and Italys into Ontario. It would take you two days to travel across Ontario." This puts a cost on to the marketing of foreign wines in Ontario.

The sale of Ontario wine products has been declining, and wine sales overall have declined by 11 per cent since last year, while shipments of US table wine to the LCBO have increased over 300 per cent in the first half of 1989 compared to 1988. A combination of increased import competition, higher grape prices and declining wine sales has put the wine industry in a difficult competitive position. My colleague the member for St Catharines-Brock stated that while credit cards will not solve the competitive problem entirely, they would provide a level playing field and remove unfair competitive advantages presently in the marketplace. I think the member for Algoma (Mr Wildman) missed that point.

Retail stores and wineries are likely to make large sales to tourists and other purchasers who have attended a winery tour or who may not have easy access to Ontario products. Otherwise, consumers do not carry large amounts of cash, particularly because they are used to the convenience and safety of using credit cards. The member for Algoma said he carries three; that indicates he does not carry too much cash with him. I can recall a few years ago a member of the Legislature was going to his room at the Royal

York Hotel, and by the time he got up to his floor, he was stripped of his wallet.

Credit cards and Sunday openings at estate wineries could significantly boost the tourism potential of the industry. The resolution provides that retailers in the wine industry, and in particular in the cottage industry, the estate wineries, could move their products in fair competition, continuing the principle of responsible service and responsible use of beverage alcohol, allowing a choice and the convenience associated with the use of credit card purchases.

The Minister of Consumer and Commercial Relations (Mr Sorbara) supports the use of credit cards in winery stores as one component of a policy which would give the industry a significant boost at a time when market forces and trade policies are making it more difficult to compete effectively.

The member for Algoma is quite correct. The industry is facing severe difficulties, especially the grape growers in the Niagara region. I am sure that even by adding this, opening the door a little bit further, it may secure the preservation of the industry and the farm lands in the Niagara region.

This policy is consistent with the Ontario government policy on the grape and wine competitive strategy. The minister is currently pursuing many strategies designed to help the wine industry adjust to the negative impacts associated with a freer trade environment. The use of credit cards at the winery retail stores should be perceived as a concrete action in this direction. Moving in this direction maintains a healthier marketing program for the grape growers in the Niagara region.

I support the the member for St Catharines-Brock for putting forward the resolution. I think it is a step in the right direction. Anything now, pertaining to the grape industry and the grape growers in the Niagara region, will be of some assistance to them until they get through this trying stage at the present time.

I regret that the member for Algoma has been negative as usual in his approach to resolving some of these problems and hopefully—he is the agricultural critic and he should come down and go through and look at what the cottage wineries are doing, the estate wineries, because if any one of them—these will be the grape growers in the industry that will survive the free trade agreement.

1140

Mr J. B. Nixon: I am honoured to rise to speak on this resolution put forward by the

member for St Catharines-Brock. I apologize, I thought we were on the old rotation system, so here I am, ready to go. I want to congratulate him for bringing this motion because in a sense it is a motion whose time has come. It deals with a subject matter that I know is important to his constituency and indeed to the constituency of the entire grape-growing region in southern Ontario and, broadly speaking, important to the entire province of Ontario.

It is a very specific motion, but I have often felt that in government that is where you get things done. You focus on specific problems that require specific actions, and he has produced a specific remedy which will go a long way to solving a problem which has existed for some time in the Niagara region.

The industry he is dealing with is, broadly speaking, grape growing and our local wineries. Specifically, it is the estate wineries that he has targeted, but I want to suggest that we have to look at the estate wineries as being not just an isolated industry. They are an important element of our agricultural industry. They are an important part of our tourism industry. They diversify our economy in the sense that they diversify the number of agricultural products we produce. It helps diversify our tourist industry by providing additional attractions to Ontario, and it diversifies our province in terms of its economic production by ensuring there is a regional industrial activity, a regional agricultural activity, a regional tourism activity, outside of the great metropolitan area of Toronto. I think it is important to remember that this province is much bigger than Metropolitan Toronto.

The problem that this industry has been facing, specifically the wineries and the estate wineries, is an assault over the last several years from the federal government in Ottawa. The free trade agreement directly attacked the ability of the estate wineries to continue functioning. The sales tax, this new GST, the gouge and screw tax, will attack directly the competitiveness of the estate wineries on a global scale. I suggest that this is an industry which has long been supported by the province of Ontario and I give my friends in the Progressive Conservative Party provincially some credit for that, but lately they have been abandoned by the Conservative Party in Ottawa, and it has not been good for them.

What have we got, though? We have an industry which is recognized not only provincially, not only nationally, but internationally as producing some of the finest wines in the world. People from Ontario, from Canada and indeed

North America will and do travel to the Niagara region to sample the wines, to purchase the wines, to share in the various attractions of the Niagara region—not just the estate wineries. They go to the Shaw Festival. They come to see the countryside. There are a number of reasons to go to the Niagara region and people do that because they find it an attractive area to visit whether it is for a day trip, for a week trip or a weekend or whatever.

It must be very, very frustrating I know—from personal experience, and I have heard from others who have travelled from New York, from Michigan, from Pennsylvania, from southern and northern Ontario, from Quebec, wherever—to visit a native estate winery in Ontario, something which we are all proud of, and to be told after having sampled the wines, “I am sorry, purchases are on the basis of cash only.” People are sort of saying, “Geez, when I go to New York state wineries, I do not have to pay cash, or when I go to buy wine in a store in New York state I do not have to pay cash.” So they are refused the opportunity to purchase the amount of wine they would like to buy. It is as simple as that.

We are not saying to them, “You have to buy and drink it on the site.” No one is buying great volumes at the estate wineries in order to consume to excess. They are buying it because it is a good quality wine, because the wine is associated with the good experiences they have had visiting the Niagara tourist region, yet because we have sitting on the books an arcane regulation which says you cannot buy with credit cards, they are denied the opportunity not only to satisfy their own interest in our estate wineries, but they are denied the opportunity to contribute, in my view, to the Ontario economy, to the Niagara region. It just does not make sense.

I might also add that it has to be excessively frustrating to a visiting tourist or even someone from the Niagara region who wants to go to an estate winery and buy a couple of bottles of Château des Charmes or Inniskillin or any other of the great estate wineries on a Sunday and be told: “Sorry, you cannot buy a bottle of wine on Sunday and take it home and save it for the next Sunday dinner you might have with your family. You cannot do that.” On the other hand, you could go over to Fort Erie and buy all the wine you wanted and bring it back, or you can go to a restaurant and drink all the wine you want and pay for it with a credit card. Somehow there is a perverse logic that says buying a very fine home-grown product from an estate winery on a

Sunday or on any other day of the week with a credit card is unacceptable.

I think the time is overdue to change the rules. We have heard other speakers refer to the Ontario liquor licence advisory task force, as it was called, better known as the Offer report, which made recommendations in this regard. It said credit card purchases have come, their day has come. Purchasing a bottle of wine on Sunday at an estate winery—you do not sit down and drink it there, you take it home and you use it judiciously when you want to. There is nothing wrong with that.

Mr D. R. Cooke: Judiciously or religiously.

Mr J. B. Nixon: Or religiously.

The time has come to fulfil the recommendations made by the Offer report. The parliamentary assistant to the Solicitor General, the member for Scarborough Centre (Miss Nicholas) is sitting here. I hope she takes the message back. The time has come to allow credit card purchases. I urge this assembly to consider allowing credit card purchases on Sunday of a bottle of wine. No one in Ontario finds that objectionable but for a few, and I suggest to those few, they do not have to buy a bottle of wine on Sunday, they do not have to buy a bottle of wine on Saturday or any other day of the week, by cash or by credit.

It is time to make a contribution to an essential part of our tourist and agricultural economy, and I urge all members of this assembly to support the resolution brought forward by the member for St Catharines-Brock.

Mr Runciman: I have not had a great deal of time to prepare for this, but one of the realities of being in an opposition with limited numbers is that you are wearing several hats, covering committees etc. In any event, I am here, unlike the humongous numbers in the government, where they can afford to send 13 members of their party to Italy, unprecedented, unheard of, on a so-called trade mission. We look at the taxpayers' money being used to send 13 Liberal members to Italy—

Mrs Sullivan: Your party was asked.

Mr Runciman: Right. Where are those 13 Liberal MPPs? They are over in Italy. I will wager you, Mr Speaker—

1150

The Deputy Speaker: Order, please.

Mr D. R. Cooke: Put your hat on.

The Deputy Speaker: Order. There seems to have been a slight disturbance in the House away from the standing order that says one member at a time. The member for Leeds-Grenville, please.

Mr Runciman: It is regrettable. It is the same sort of situation as last night. When I just start to get warmed up with respect to an issue, the government interjections necessitate the Speaker intervening. It is regrettable, to say the least.

I wanted to make the point, before I was interrupted, with respect to the 13 Liberal members currently basking in the sun in Italy while the New Democrats and the Progressive Conservatives are working here in the Legislature of Ontario—

Ms Nicholas: Speak to the resolution.

Mr Runciman: I will wager you, Mr Speaker, that—

Mr Epp: What an attack on the Italian people of this province.

The Speaker: Order.

Mr Ballinger: On a point of order, Mr Speaker: I thought we were discussing ballot item 28. I do not think this is the opportunity to kick off a leadership campaign by the member for Leeds-Grenville.

The Speaker: I thank the member for his point of view. I also must remind the member for Leeds-Grenville that we are debating private member's notice of motion 31.

Mr Runciman: Now, Mr Speaker, that was an appropriate comment and I was about to tie it in with the legislation before us.

Mr Faubert: What about Italian wine?

Mr Runciman: The member over there just made the point. I will wager that those 13 Liberals currently basking in the sun in Italy, while the NDP and Conservative members are struggling along on behalf of Ontario voters in this province, are not consuming Ontario wine. They are consuming Italian—

Mr Eakins: They tell me it is raining today.

The Speaker: Order. I do not think it is really proper parliamentary procedure for a member and the Speaker to wager on anything. So would you please continue with your remarks.

Mr Runciman: Thank you, Mr Speaker.

I wanted to talk about a couple of things. The member for York Mills (Mr J. B. Nixon) made a couple of comments during his contribution that I think should be responded to. He said, in his view, that Ontario is bigger than Toronto. Certainly we on this side of the House agree with that, but that is a unique view coming from a member of the Liberal Party. Traditionally the Liberal Party has viewed Ontario from the CN Tower. With respect to all they can see from the CN Tower, that is Ontario on the part of this

Liberal government. We can look at the neglect in eastern Ontario. We can look at a whole range of areas with respect to the very limited view of this government with respect to what indeed encompasses Ontario.

He also made reference to taxes. He was criticizing the federal government about its treatment of the wine industry in this province. Then he talked about taxes. He talked about the goods and services tax. Any Liberal in this province being critical of the federal government—I am not a supporter of the GST. I have made that clear in the past, but for the Liberals to have the unmitigated gall to talk about taxes and be critical of the federal government when they have, as a government, increased taxes in this province over the last four years by 105 per cent—that is the reality; they have the nerve to stand up in this House and talk about federal taxes—they should get their own house in order first.

I am rather ambivalent about this question of credit card use in wine stores, but I think if the member really wanted to do something meaningful with respect to assisting the wine industry in this province, and I have suggested this to him in the past, rather than deal with a resolution of this kind, which I do not think is really going to have that kind of a significant impact on the industry, I think he should have been looking at the question of private wine stores in this province. I have been a strong supporter of that for many years. Now what we have currently—he may argue we have private wine stores, but in essence what we have is wine stores operated by the wineries, the wine companies themselves.

If the member for Algoma wanted to start a wine store in his particular community he would be forbidden from doing so. He would have to do it under licence through one of the wineries. It seems to me that is the sort of thing that would provide more retail opportunities right across this province for the Ontario wine industry, and certainly greater opportunities, greater selection and perhaps some pricing advantages as well, for the consumers of this province. That is the sort of bigger picture, in my view, that the member should be looking at. I respect his concerns for the area he represents, but I think that perhaps rather than dealing with an issue like credit card use that he should be perhaps looking at the bigger picture in more meaningful ways over the long haul to help the industry.

It is sort of ironic in respect to this credit card issue that he is talking about perhaps—I gather earlier in his comments, I was not here—about

why should someone be able to sit in a tavern all day and drink beer and then at the end of the day pay by credit card when they cannot go into a wine store and use a credit card. That is ironic to say the least when we have this government continually mouthing platitudes about having an impact on reducing drinking and driving in this province, and here we have the member standing up and saying, “Why can Joe go into a tavern and drink all day and pay with a credit card and I can’t do the same thing for a bottle of muscatel?” I want to question the thinking of that particular member in respect to that in trying to be consistent with what his government says is its policy in respect to drinking and driving and reducing consumption.

I also want to talk about another irony, another bit of hypocrisy in respect to this government and its so-called liberalization of liquor laws in this province. We will talk about their promise in 1985 of beer and wine in grocery stores, another one of the Premier’s infamous ad hoc, ill-thought-out promises to the people of this province that he could not keep, perhaps did not want to keep. We have had the ruse passed here in 1986, I guess it was, where they put a bill before the House in a minority situation knowing full well that it would be defeated.

Since 1987 they have had a record majority in the Legislature of Ontario, 95 seats—now 94. Have we seen the introduction of this beer and wine legislation since they have been elected in 1987? Do we hear any talk of reintroduction of this legislation? Not a murmur. In fact, when the former minister, who is now the Minister of Transportation (Mr Wrye), was asked specifically about that legislation, he said: “No, it is not on the agenda. We don’t have any intentions to reintroduce that kind of legislation.”

So when the member for York Mills and others talk about liberalization of the liquor laws of this province and how concerned they are about the tourism dollar and having an impact on small business etc, it is a sham. It is like so many other things that have occurred with this government over the past four or five years—a lot of hot air and very little substance to most of the proposals that come before them.

I want to talk about liberalization. I was the Minister of Consumer and Commercial Relations for a brief period of time, but during that period of time we looked at a couple of issues where we were moving in that area, certainly a review of liquor regulations. We also brought in the legalization of brewpubs in this province, and were looking at the legalization of distribution

for microbreweries as well. Of course, what happened after I made the announcement as minister in respect to brewpubs, five months later I think it was, or something like that, the minister of the day, the Minister of Industry, Trade and Technology stood up and announced that the Liberal government was legalizing brewpubs in this province. What a bunch of hot air. We saw that sort of thing occurring in every ministry across the government where the initiative had been undertaken by the Progressive Conservative Party of Ontario followed by the attempt to retake the credit, if members will, by the incoming Liberal government.

So we can detail this on and on for hours in terms of hypocrisy in respect to a whole range of issues across government. Auto insurance is certainly the most prominent one facing us today, but the liberalization of liquor legislation, in contradiction of their so-called efforts to control drinking, really is difficult to swallow.

1200

I have a great deal of respect for the member who has put this legislation forward today, but we are having a free vote in our caucus and I am not sure how the vote will go in respect to the members. Some of us have strong feelings; I do not. I think perhaps the member in future opportunities for private member's legislation should be dealing with initiatives that are going to have a much more positive, significant impact on the wine industry in Ontario. All of us would support that.

Mr Dietsch: I want to say that I am absolutely appalled at the disgusting way that people who are supposed to be representing the agricultural industry are acting in this House. I very distinctly said that this was not the complete answer, that in fact it was a step in the right direction and to try to twist my words to say that I support people sitting in the pub all day, nothing could be further from the truth.

I am absolutely surprised from a person who wants to run for leadership, who wants to wager with you, Mr Speaker, then stands up and says that he will not support something that is the right step to go through in this procedure and that will be an initiative that will help. I think it is absolutely disgusting.

I feel that they will by the use of credit cards be able to play a very important innovative approach. There are tourists. There are business people who go to Niagara-on-the-Lake for

seminars, training courses. If these are the people to whom the opposition members want to deny that privilege, that is what they have said to me.

I believe in promoting Ontario. I believe in promoting Ontario products, whether it is wine in Niagara, whether it is steel in Sault Ste Marie or whether it is whatever with my friend the member for Lanark-Renfrew (Mr Wiseman). I believe that we have got to promote Ontario better than we are doing. We cannot do it in the divisive way with which individuals want to further play to the audience.

I want to say that this government perhaps would be in favour of striking a task force to look—

The Speaker: Thank you. The member's time has expired. That completes the allotted time for debate on the two designated items for this morning.

PURCHASE OF WINE BY CREDIT CARDS

The Speaker: Mr Dietsch has moved resolution 31.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

1210

MUNICIPAL ELECTIONS

The House divided on Mr McCague's motion of resolution 25, which was negatived on the following vote:

Ayes

Bryden, Cooke, D. S., Cousens, Eves, Grier, Harris, Laughren, Martel, McCague, McLean, Morin-Strom, Nixon, J. B., Philip, E., Pollock, Runciman, Smith, D. W., Sterling, Sullivan, Wildman.

Nays

Adams, Ballinger, Carrothers, Cleary, Collins, Cooke, D. R., Curling, Daigeler, Dietsch, Eakins, Elliot, Epp, Faubert, Furlong, Keyes, Kozyra, LeBourdais, Mahoney, McClelland, McGuigan, Miller, Nicholas, Oddie Munro, Patten, Poole, Ray, M. C., Reycraft, Riddell, Roberts, Sola, Tatham, Velshi.

Ayes 32; nays 19.

The House recessed at 1210.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

WORKERS' COMPENSATION

Miss Martel: The battle to win compensation benefits for gold miners with lung cancer was a long and tough one. For some 12 years, the United Steelworkers of America, the New Democratic Party and the widows themselves fought to have the Workers' Compensation Board recognize the relationship between the cancer and gold mining. When the board finally agreed to compensation in 1987, the criteria to qualify for benefits was then made terribly restrictive. Factors such as age and the year when the gold miner began to work in the mines are used in a mean-spirited way to deny entitlement. More claimants have been denied benefits than have actually received compensation.

Then the WCB went one step further to make the process even more unfair. It first decided that if benefits were granted and the miner were dead, the widow would only receive benefits back to the date of the death of her husband. The board refused to pay back to the time when the miner developed cancer and was unable to return to any type of work. In some cases, years elapsed between the illness and the death, yet there is no compensation for this.

Second, the board decided the benefits would go only to a worker or his dependants alive at the time of the policy change in 1987. The definition of "dependant is key." If the worker and his wife died before the policy change, the children would not be considered dependants and would not receive any benefits at all, this in spite of the fact that their father died of an industrial disease.

It seems to me that the widows and the children have suffered long enough. This situation must be rectified by this government.

RENAL DIALYSIS

Mr Pollock: I read with interest on Tuesday an article in the Globe and Mail stating that Oshawa would be receiving a six-station kidney dialysis unit. Oshawa certainly will be a lot closer than downtown Toronto for people from my riding and the Peterborough area to go to receive this service.

However, I certainly believe that one of the hospitals in Peterborough would have been a more central part of eastern Ontario in which to

place a dialysis unit. There will still be people who will have to travel 200 kilometres to get to Oshawa. I recall John Turner, the former member for Peterborough, presenting a resolution to this Legislature asking for a dialysis unit for Peterborough. I spoke in favour of this resolution.

The fact that people have to travel long distances and, in some cases, three times a week, is an inconvenience and a tremendous expense. I hope that some day soon there will be a dialysis unit in Peterborough.

MARY ANN BRETT

Mr J. B. Nixon: I rise today to pay tribute to Mary Ann Brett, who resides in the provincial riding of York Mills. Ms Brett is one of 12 Ontarians who will receive tomorrow a Community Action Award from the Minister without Portfolio responsible for disabled persons (Ms Collins).

Mary Ann Brett is the author of a weekly column in the Toronto Star under her byline. The column expands awareness and creates understanding of issues important to people with disabilities. A wheelchair user herself, Ms Brett has been an active citizen since her youth. She graduated from high school in Hamilton in the days before buildings were equipped or designed for wheelchair access. After her marriage, she adopted several children with disabilities and in recent years has been raising her children, now teenagers, on her own.

A brief review of some of her recent columns will, I am sure, illustrate why Ms Brett is receiving and is so deserving of this award. She deals with matters which are important not just to the disabled community but to all of our society, which needs to be educated, informed and, from time to time, gently chastised on the issues as they relate to the disabled community. All readers of the Toronto Star have learned much from Ms Brett's column. Ms Brett has given much to the people of the province of Ontario, both as an individual and as a writer, and she is most deserving of the minister's Community Action Award.

UNIVERSITY FINANCING

Mr R. F. Johnston: The Council of Ontario Universities has just released one of its fall briefing notes that it puts out each year on the financial situation facing the universities in the

province, which have already been reeling through underfunding and the real problems of maintaining the standards of quality of education that we expect here in Ontario.

This latest report is perhaps the most startling and most concerning to us. The bottom line is that they forecast the universities will require an increase of 9.7 per cent in income from the provincial government this year just in order to hold their own. It indicates, for instance, that this last year when they received a four per cent increase on their base funding, they had to do this in facing a 5.8 per cent increase in the cost of living, which basically gave them a shortfall of \$28 million. This ate into the supposed extra money they were receiving by access by over 50 per cent.

They have gone through a list of various kinds of programs that are being foisted on them by this government and by the federal government in terms of the pay equity legislation, the health levy, unemployment insurance changes, etc. Adding those things up, just to hold their own, not to lose ground, they will need a 9.7 per cent increase.

I am afraid we are not going to see anything like that from the provincial government. Therefore, our universities again will fall further behind than they have in the past, and they are already near the bottom of the heap in terms of government funding across the nation.

DRUG ABUSE

Mr McLean: I would like to address the failure of the Liberal government following its grand presentation of the recommendations of the Black Task Force on Illegal Drug Use in Ontario.

Over a year ago, the follow-up on this was the introduction of a co-ordinator of drug strategy. In particular, the Ministry of the Solicitor General has failed to increase the size of the OPP drug squad. It still remains at the same level as a year ago, and yet the number of officers pursuing traffic violations has increased.

The contribution of the Minister of Health (Mrs Caplan) to fulfilling the requirements of the task force has been to write a letter to district health councils asking that they examine the situation. Yet to date, the ministry has not acted to help drug addicts in any tangible manner.

A month ago, the part-time minister responsible for the provincial anti-drug strategy (Mr Black) told this House that approximately half of the recommendations of his report are currently in the process of being implemented and alluded

to a co-ordinating secretariat. I have not seen that secretariat and I do not think one has been founded.

It is my deep concern that this government has little real concern with the problem of drug abuse in this province. They have appointed a part-time minister to deal with what is most certainly a full-time issue. They have had the recommendations of the minister's task force for over a year now, yet have done little work of any consequence in meeting the important recommendations of the task force.

Next week is Drug Awareness Week, and I urge this minister to make an announcement today on a major drug strategy.

VANIER CUP

Mr Reycraft: This Saturday, the country's two best university football teams will meet on the country's best Astroturf. This weekend, the University of Western Ontario Mustangs and the Saskatchewan Huskies square off for the Vanier Cup here in Toronto at the SkyDome.

The Western Mustangs advanced to the championship after beating out the St Mary's Huskies 38-33 in last Saturday's Atlantic Bowl in Halifax. This was no small feat, as the Huskies were Canada's number one ranked university football team. This match promises to be an exciting one between two deserving and well-matched teams.

This is the first trip for the Saskatchewan Huskies to the Canadian finals. They defeated Queen's Golden Gaels 40-10 in the Churchill Bowl in Saskatoon last Saturday.

Our Mustangs are no strangers to the Vanier Cup. They won it four times in the 1970s and have made four other appearances since 1977.

Congratulations go out to Mustangs coach Larry Haylor, Saskatchewan coach Brian Towriss and, of course, to all the players for having advanced to the Canadian university football championships.

I know that all members of the House will want to join me in wishing the Mustangs good luck as they battle to bring the Vanier Cup back to Ontario.

NORTHERN HEALTH TRAVEL GRANTS

Mr Eves: I would like to address my comments today to the Minister of Health (Mrs Caplan) on the still pressing issue, unfortunately, of northern health travel grants for the residents of the district of Parry Sound and those in the district of Nipissing, which lies south of Algonquin Park and, in fact, in Algonquin Park.

1340

It was 9 June 1988 when the Premier (Mr Peterson) rose in the House and said that effective 1 April 1989, the residents of Parry Sound riding, which includes the districts of Parry Sound and Nipissing district east of North Bay, would be included for all government programs by all ministries in northern Ontario.

We have written to the Minister of Health on numerous occasions requesting that she change the regulations which define what are and are not eligible under the northern health travel grant program. She has consistently told us that the program is under review. I fail to see how the program could still be under review when she was told by her Premier on 9 June 1988 that effective 1 April 1989 this was to happen.

As a matter of fact, officials at the OHIP office in Kingston, since 1 April of this year, have received literally hundreds of applications to process northern health travel grants for residents in my riding because they too assumed that this would happen. They are waiting for direction from the minister to do what the Premier told her to do over a year ago.

OXFORD ENERGY CO

Mr Tatham: Burning rubber gets the okay. Oxford Energy Co, New York City, has received final approval to build what will be the world's largest tire-to-energy plant.

The Exeter energy project, a \$100-million, 30-megawatt plant at Sterling, Connecticut, which is expected to take two years to build, will burn about 10 million tires a year. The plant will be connected to aboveground lines by the nation's longest underground power transmission line, an eight-mile long, 115-kilovolt line. It took Oxford more than three years to win final permits for air quality, solid waste and water discharge for the plant.

Phil Rettger, Oxford vice-president, said the project addresses New England's rapidly growing junk tire problem. The region generates 20 million junk tires each year. All the tires will come from within 250 miles of the site.

Oxford Tire Supply Co, a wholly-owned subsidiary of Oxford Energy Co, will deliver tires to the site, and other waste tire collectors and haulers in the region will keep the plant in fuel. Between 20 and 30 tractor-trailer trucks, with a capacity of up to 1,400 tires apiece, will supply the Exeter plant daily.

The tires will move from fuel-feed hoppers spaced and in single file to conveyers. They will then be weighed and fed into the boiler, where

they will burn completely at temperatures in excess of 2,500 degrees Fahrenheit.

Rettger said one of the advantages of the Sterling plant is that the tires will not have to be shredded before being burned. Shredding can add \$25 to \$40 a ton to the cost of tire disposal.

Mr Villeneuve: Pretty hot stuff.

Mr McGuigan: A real blowout.

The Speaker: Order.

STATEMENTS BY THE MINISTRY

RACE RELATIONS AND POLICING

Hon Mr Offer: I am today announcing the government's response to the report of the Task Force on Race Relations and Policing.

I wish to thank Clare Lewis, chairman of the task force, and its members: Dr Ralph Agard, Kamala-Jean Gopie, Chief James Harding, T. Sher Singh and Roy Williams, for their important work. Their commitment, dedication and effort to the task at hand is to be commended. I also wish to express my sincere thanks to all of those who contributed to the work of the task force through their thoughtful and compassionate presentations.

In addition, I want to commend the excellent initiatives undertaken in this regard by the member for London South (Mrs E. J. Smith), whose contributions have been instrumental in advancing positive police-community relations in this province.

The task force was asked to address "the very serious concerns of visible minorities respecting the interaction of the police community with their own."

Today, I am pleased to advise the House that this government accepts the fundamental principles underlying the recommendations of the task force report. In fact, we are acting upon the great majority of the recommendations, including the establishment of a special investigative unit, limits on the use of force by police and comprehensive measures in employment equity, police-community relations, training and recruitment.

As members will recall, the task force recommended the establishment of a special investigative unit to investigate police shootings. The task force recommended that the unit be composed of seconded police officers from a number of forces, together with a civilian component. The government not only accepts this recommendation, we wish to go beyond it. We will establish a permanent unit of trained

investigators within the Ministry of the Solicitor General.

Members will also be aware that the task force recommended that investigations by this unit be limited to police shootings. We will go beyond this by directing the unit to investigate incidents of any actions involving police which result in death or serious injury. In keeping with the principle of this recommendation, investigations by this unit will be overseen by a civilian well-versed in criminal law, who will have the stature and knowledge required to carry out this function.

This government accepts the thrust of the recommendation by the task force to limit discretion in the use of force and firearms by police. I am pleased to advise the House that the Attorney General (Mr Scott) will petition the government of Canada to undertake appropriate amendments to the Criminal Code. This government will also amend the police regulation as recommended by the task force.

This government recognizes that the elimination of systemic barriers to employment, improved training and community-based service are all essential requirements for the further advancement of effective and sensitive policing in the Ontario of the 1990s and beyond.

A central recommendation of the task force was to implement a legislated, mandatory employment equity program for police services. This government will bring forward a legislated mandatory employment equity program for all police services. In furtherance of the task force recommendation, initial measures will be taken for visible minority men and women. Police services will be required to prepare and submit employment equity plans as mandated by legislation. These plans will be made in accordance with established goals and timetables.

All such employment equity plans will receive careful monitoring and ongoing review. As well, every effort will be made to build upon the recruitment and minority employment measures which have already been undertaken by many police services across the province. I believe the monitoring function is critical to ensure the success of an employment equity plan. The government, through my ministry, will undertake this responsibility.

Existing police employment equity and community outreach initiatives will be intensified to increase recruitment from underrepresented groups. It is my intention that the ministry itself will play an active role in facilitating such

recruitment in accordance with the task force report recommendations.

The task force recommended the establishment of a central recruiting unit. A central recruiting unit will be established within the policing services division of my ministry. The objective of this central recruiting unit will be to provide assistance to all police services in their recruitment efforts, with special emphasis on visible minority officers. This unit will also develop, in consultation with police management, bias-free recruitment, testing, selection instruments and processes. This initiative will assist all police services in their efforts to eliminate systemic barriers to employment.

As also recommended by the task force, I am pleased to announce a series of initiatives in police training which are intended to build upon the progress already made in this area in recent years.

First, my ministry will undertake an immediate review of all current police training programs in order to design and introduce significant program improvements.

Second, a mandatory four-week retraining program for police officers will be established and carried out through innovative and cost-efficient means. Some 2,000 OPP and municipal police officers will receive this training annually, which will include race relations, the law and contemporary policing skills. Additional training initiatives will involve a train-the-trainers program for police trainers; an intensified coach-officer course and a series of seminars for senior police personnel, civilian staff and members of police authorities.

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In all our efforts, this government will continue to work with and seek the advice of all interested parties on these and other related issues of concern to both the police and the public. Our comprehensive strategy will strengthen the partnership between the police and the communities they serve. It will build on our solid and strong foundation for the advancement of policing and police-community relations in Ontario. It will support and carry forward the invaluable work being undertaken by the dedicated men and women who provide our citizens with such excellence in police service. It will reinforce and build bridges of co-operation and understanding and encourage the continued action necessary to maintain our safe and secure communities.

SERVICES EN FRANÇAIS

FRENCH-LANGUAGE SERVICES

L'hon. M. Beer : La Loi de 1986 sur les services en français, qui a été adoptée à l'unanimité par les trois partis représentés à l'Assemblée législative, entrera en vigueur le dimanche 19 novembre prochain.

Cet événement historique vient couronner trois années d'efforts investis dans la mise en place des services en français dans les bureaux centraux des ministères du gouvernement de l'Ontario et dans les bureaux situés dans les 22 régions désignées par la Loi.

Au cours des 20 dernières années, des gouvernements ontariens successifs ont augmenté le nombre de services disponibles en français dans les domaines de l'éducation et de la justice. Les services en français offerts par les ministères et agences gouvernementales se sont accrus eux aussi.

La Loi sur les services en français a donc pour effet d'affermir ces politiques passées dans un cadre législatif et de garantir, pour la première fois, le droit d'une personne à recevoir tous les services gouvernementaux en français dans les régions désignées. C'est une des réalisations les plus importantes du gouvernement : le fait de servir la communauté francophone de cette province.

Mais l'importance de cette législation s'étend au-delà de la simple prestation des services en français. Par l'entremise de cette Loi, l'Assemblée législative reconnaît le rôle historique et honorable joué par la langue française en Ontario, ainsi que l'apport du patrimoine culturel de la population francophone au développement de cette province. L'Assemblée législative exprime aussi le désir de sauvegarder ce patrimoine pour les générations à venir.

De plus, avec l'entrée en vigueur de la Loi sur les services en français, notre province assume pleinement son rôle de chef de file en matière de droits linguistiques au Canada. La coexistence de francophones et d'anglophones sur un même territoire est une des caractéristiques fondamentales de notre identité nationale. Cette Loi répond aux propres besoins de l'Ontario, tout en tenant compte du contexte national d'un pays bilingue et multiculturel.

Je désire profiter de cette occasion pour remercier toutes les personnes qui ont contribué à l'avènement de la Loi. Je commencerai par souligner le rôle de mon prédécesseur, le député d'Ottawa-Est (M. Grandmaître), qui a eu le privilège de présenter cette Loi pour adoption en

1986 et de veiller à sa mise en oeuvre lors des premières années.

I should also like to underline the presence with us today and to thank a number of members of the Ontario French Language Services Commission. The commission, as members know, was set up at the time of the adoption of the law and its mandate ends this Sunday.

I should like in particular to thank the chairman of the commission, M. Gérard Raymond, and the members, M^{me} Pat Webster, Marie Poulin, ainsi que MM. Marc-Yvain Giroux, Marcel-André Sauvé, feu Jean-François Aubé et le premier président de la commission, M. Gerard Bertrand pour leur dévouement à la commission. I would also like to thank M^{me} Rolande Soucie, the president of l'Association canadienne-française de l'Ontario, for the work of her association over the last several years and to show them all our thanks. They are in the gallery with us today.

Si nous avons atteint les objectifs que nous nous étions fixés en 1986, c'est grâce à l'excellent travail de la Commission des services en français de l'Ontario, de l'Office des affaires francophones ainsi que des ministères, des agences et de leurs coordonnateurs des services en français. Il faut aussi souligner le rôle des députés de cette Assemblée. Grâce à toutes ces personnes et à l'appui de la population, nous avons franchi une étape importante. Nous sommes maintenant en mesure, plus que jamais, de répondre aux besoins de nos concitoyens de langue française.

Nous croyons aussi que ce geste servira à créer des relations plus harmonieuses entre Canadiens anglais et Canadiens français en Ontario.

We are committed to the efficient, fair and reasonable implementation of the French Language Services Act. The Public Service Act and any existing collective agreements will be fully respected. Let me underline that the purpose of the act is to provide French-language services to the population of Ontario. It in no way limits or reduces the provision of English-language services or the rights of English-speaking Ontarians.

Our French Language Services Act is a "made in Ontario" policy set in a national context. It is guided by our vision of a Canada in which minority language rights must be respected and protected without compromising the rights of the English-language majority of Ontario.

Nous savons que cette Loi est reconnue par la majorité des Ontariens comme une politique juste, raisonnable et digne de leur appui. De plus,

nous sommes certains que nous pouvons compter sur la tolérance et la patience des Ontariens dans la mise en oeuvre de cette Loi.

Nous sommes conscients des défis qui nous restent à relever et c'est pourquoi nous accorderons la priorité, dans les prochains jours et au cours des prochains mois, à la désignation des agences et institutions subventionnées par les fonds publics.

Je veux aussi informer l'Assemblée que nous établirons un Conseil des affaires francophones, composé de personnes provenant de la communauté, pour m'aviser, à titre de ministre délégué aux Affaires francophones, sur la mise en oeuvre de la Loi et pour aider à l'élaboration d'une vision stratégique des priorités et des programmes du gouvernement dans le domaine des affaires francophones.

Le 19 novembre 1989 demeurera une date mémorable dans l'histoire de l'Ontario; ce sera une journée dont tous les Ontariens et Ontariennes pourront se souvenir avec fierté.

In closing, I would like to reiterate that the French Language Services Act is a fair and reasonable measure to protect and preserve the language rights of this province's French-speaking minority. It is consistent with our vision of a Canada where minority language rights are respected and protected.

COMMUNITY ACTION AWARDS

Hon Ms Collins: As Minister without Portfolio responsible for disabled persons, it will be my special honour tomorrow to present the 1989 Community Action Awards at a ceremony here in Toronto.

Each year, the Office for Disabled Persons recognizes the outstanding achievements of individuals who have made a particular contribution to the Ontario disabled community. We do this because we believe it is important to send the message that disability can mean achievement, accomplishment and excellence, and we want the people of Ontario to know that.

Since becoming minister, I have been impressed by the people I have met working on behalf of disabled persons in this province. Without any hesitation, I can say that their dedication and commitment is a constant reminder that it is individuals who give strength and energy to any movement.

This year, Community Action Awards will be presented to 12 distinguished Ontarians, 11 of whom are disabled. The recipients of the 1989 Community Action Awards are:

Mary Ann Brett, columnist with the Toronto Star; Connie Burns, president of the Belleville chapter of the Canadian Paraplegic Association; H. Clifford Chadderton, chief executive officer of the War Amputations of Canada; Donald James, a volunteer with three community organizations in Peel region; Ron Kennedy, research assistant at Queen's University; Gary Malkowski, chairperson of the Ontario Association of the Deaf task force on deaf education; Brian Moreton, student council president at Geraldton Composite High School; Jack Muirhead, a founding member of the ALS Society of Canada and president of the ALS Society of Ontario;

Barbara Rush, an augmentative communications resource teacher with the Hamilton Board of Education; Hazel Self, artist and community volunteer, and now co-ordinator of community services at the Gage Transitional Living Centre in Toronto; John Southern, a founding member of PUSH, Persons United for Self-Help, and a member of BOOST, Blind Organization of Ontario with Self-Help Tactics, since 1977, and Roger St Louis, a founding member of the Canadian Hearing Society and the francophone representative on the executive of the Ontario Association of the Deaf.

These 12 individuals have been selected for Community Action Awards because of their special contributions to this province. Each one is making a special contribution to the quality of life that we enjoy in Ontario. Each one is helping to make our province a better place in which to live.

In announcing these awards, I also want to recognize the work of my fellow selection committee members: They are the member for Mississauga South (Mrs Marland); the member for Hamilton West (Mr Allen); Bob Loveless, chairperson of the Ontario Advisory Council for Disabled Persons, and Clem Sauvé, senior adviser for the Office for Disabled Persons.

1400

RESPONSES

FRENCH-LANGUAGE SERVICES

SERVICES EN FRANÇAIS

Mr B. Rae: I will be responding to two statements today on behalf of our party. First of all, with respect to the announcement or the statement or speech by the minister responsible for francophone affairs (Mr Beer), I simply want to say to him on behalf of the New Democratic Party that we supported Bill 8 when it was

proposed. We took part in the debate. We supported it then and we support it now.

I also want to say that I know perfectly well that there are parts of this province, and indeed many parts of the province and among many people, where there are concerns about the implementation of Bill 8 and there are concerns about the requirements with respect to the use of the French language in some parts of the public service.

I think that members would be deluding themselves if they believed that this was no problem or that there were no issues to be discussed. All I can say to those members is, "Come in and read my mail some time," and perhaps they will appreciate the true diversity of opinion within this province on this subject.

To those people, I simply say that one can have concerns about the implementation of the bill as it relates to particular people without in any way, it seems to me, challenging the substance of what we are trying to do. There will be grievances, and that is healthy and a necessary part of our working this thing through.

Mais j'aimerais dire aussi que nous sommes très fiers de ce moment dans l'histoire de notre province et le voyons, comme tous les députés le savent très bien, comme une étape, menant vers une sorte de reconnaissance et vers l'enchâssement dans notre constitution, des droits de la minorité francophone dans la province. C'est une étape importante et nous sommes tous obligés d'assurer son bon fonctionnement, pour garantir les droits linguistiques dans la fonction publique, et pour garantir aux gens qui préfèrent parler français l'occasion et le droit de le parler au moment où ils reçoivent des services du gouvernement provincial.

Donc, c'est un moment historique pour la province. Nous étions en faveur du projet de loi 8, au moment de sa présentation et en discussion en Chambre, et nous restons du côté des gens qui pensent que c'est un aspect important et vital de notre vie publique en tant que province.

RACE RELATIONS AND POLICING

Mr B. Rae: Because of the shortage of time I will not have an opportunity to say all I want to say with respect to the announcements made by the Solicitor General (Mr Offer). I will, however, have some questions for him today as a result of his statement. Even though when I came into the chamber today I was not planning on it, I feel now an obligation to do that.

I simply want to comment, first of all, and say that an idea I had and expressed publicly at the

time of the shooting of Lester Donaldson that there had to be greater independence in the investigation of incidents involving police officers was rejected out of hand as a case of social democratic lunacy by the Attorney General (Mr Scott) at that time.

Is the minister saying there was no precedents for it anywhere in the British Commonwealth, that anybody who has dreamed up such an idea could not possibly know what he was thinking of? I take the change of heart on the part of the government with respect to this implementation as a compliment to those of us who were perhaps a little ahead of our time in making that assessment.

Interjections.

Mr B. Rae: I knew that would get them going.

I also have some questions for the government with respect to what their plans are on the Police Act. I find it ironic, as my colleague the member for Scarborough West (Mr R. F. Johnston) very acutely pointed out as we were listening to the minister's statement, that legislated, mandatory affirmative action programs are good enough for the police but not good enough for the government of Ontario.

I say with all seriousness to the minister, if he singles out the police force in this way, without setting a standard in his own ministry, without setting standards and requirements within the government of Ontario, he is creating divisions within the public service that are unnecessary, unhelpful and will not go far to contribute to positive race relations in the province.

The Speaker: The member's time has expired.

Mr B. Rae: More on this later, Mr Speaker.

Mr Brandt: I want to respond on behalf of my party to the Solicitor General's statement today on the task force report on race relations and policing.

Let me say at the outset that my party does in fact support many of the initiatives that the minister has announced within the context of his report, and we will be looking forward to some of the specifics with respect to the implementation of the various areas he has identified, such as the special investigative unit, which we feel will go a long way in perhaps cooling some of the very real concerns of some members of our community as to these in-house investigations that they have complained about so frequently. As long as that unit is put together in a sensitive and balanced way that meets the needs of the community at

large, we can support the Solicitor General in that initiative.

As well, in the area of employment equity, I want to say that the Solicitor General will have the support of our party as long as it is introduced in a sensitive way. I want the minister to understand, as I am sure he does, that conditions in Metropolitan Toronto are entirely different than they are in some of the other parts of this province. When we talk about the implementation of employment equity programs, we have to be sensitive to the fact that they are perhaps more required, more in demand, in areas with a large number of multicultural populations as opposed to those areas that do not have the kind of percentages of multicultural representation that we have here in Metro Toronto. So again, we are looking at that from a position of the sensitivity with which he brings in those particular changes.

Finally, let me say, because other members of my party want to speak on other ministerial announcements, that we want the minister to be very careful in implementing his proposed changes that he not limit police officers' opportunity to carry out and responsibility to carry out their particular function and their job. That is vitally important. Every day in this community and in this province we hear about more violent crimes, more crimes generally, many of them related to the drug scene in particular. We have to have a police force that is able to respond to that kind of growing threat in our community. I recognize that this means a balance again, and I hope the minister can achieve that kind of balance to allow the police forces to carry out their necessary function as well.

SERVICES EN FRANÇAIS

FRENCH-LANGUAGE SERVICES

M. Villeneuve : J'aimerais aussi me joindre au ministre délégué aux Affaires francophones (M. Beer) et à mes collègues de l'Assemblée législative pour donner notre reconnaissance en ce troisième anniversaire de la Loi sur les services en français. Ce troisième anniversaire est tout particulièrement important, puisqu'il s'agit de l'entrée en vigueur du projet de loi 8.

Sans le moindre doute, la mise en oeuvre de la Loi sur les services en français représente un accomplissement majeur par les membres de la fonction publique et de la Commission des services en français de l'Ontario, et qu'ils oeuvrent depuis trois ans en se préparant pour le 19 novembre prochain.

Il y a quelques jours, le gouvernement progressiste-conservateur a accompli la plus

importante initiative dans les services en français à la population francophone ontarienne. Ces initiatives reconnaissent le droit de chaque enfant francophone à une éducation en langue française.

Cette année, on célèbre le 18^e anniversaire de la reconnaissance des écoles secondaires de langue française et le 21^e anniversaire de cette même reconnaissance des écoles primaires de langue française.

The Progressive Conservative Party of Ontario has a long history of recognizing and supporting fairness in this province, and particularly working to ensure that none of the citizens of this province are biased against on the basis of their race, religion or language. I need not go back over the history of this party, which recognized the racial discrimination act, initiated fair employment practices, the employees' fair remuneration act, etc.

1410

In closing, il y a une certaine sensibilité grandissante dans cette province et, : le premier ministre (M. Peterson) lui-même a avoué que la mise en oeuvre du projet de loi 8 pourrait être un peu préjudiciable. A ce moment-là, nous aimerions avoir un comité de l'Assemblée législative qui pourrait faire enquête sur chacune des questions qui proviennent, soit de nos Ontariens d'expression française, soit de nos Ontariens d'expression anglaise ; je demande encore la mise sur pied d'un comité de l'Assemblée législative.

Pour terminer, j'aimerais réaffirmer à l'Assemblée législative la politique de ce parti, en ce qui concerne les droits de tous les Ontariens, de ne pas se soucier de la langue, tel que nous l'avons démontré depuis très longtemps.

Mrs Marland: Mr Speaker—

The Speaker: I think the member might have difficulty filling in those two seconds that were left.

Mrs Marland: I think so.

The Speaker: That completes ministerial statements and responses. Oral questions, the Leader of the Opposition.

Mr B. Rae: If the Conservatives would like more time to express their views on Bill 8, I am sure the House would be interested in hearing them. There may be more than one speaker. I do not know.

Hon Mr Scott: I will give them 20 minutes if they produce Bob.

Mr B. Rae: I am sure he would appreciate the chance to do that.

ORAL QUESTIONS

GOODS AND SERVICES TAX

Mr B. Rae: I have a question for the Treasurer. He accused me yesterday of tilting at a windmill in my questions.

Hon R. F. Nixon: You missed your chance.

Mr B. Rae: No, I say to the Treasurer that I have tilted at better windmills than him in my time; certainly prettier ones.

I want to start going into some questions now with respect to the goods and services tax and its relationship to the retail sales tax. The issue I put before the Treasurer yesterday was that Ontario's discussions with the federal government, we understand, over the period of the last several years must have involved in some detail questions about how you would integrate these two systems.

Yesterday the Treasurer did not tell the House, but he said outside that he was planning that some amalgamation could be anticipated in the future. I want to ask the Treasurer exactly what position he is going to take at the negotiations taking place in December, the meeting in December, with respect to the relationship between the GST and the retail sales tax?

Hon R. F. Nixon: There are no negotiations planned that I am aware of. The Minister of Finance for Canada terminated any discussions between himself and the Treasurer of Ontario and the treasurers of the other provinces. He did it in a gentlemanly and friendly way by phoning me and the other treasurers and saying the government of Canada was going to proceed independently of the provinces. I personally think it would be very wise to resume some discussions, but he has made it clear they are going to proceed independently. I regret that, but that is federal policy.

Mr B. Rae: The Treasurer has again confirmed what he has been saying for several years. His leader has been saying how strongly he is opposed in principle to the GST. The Treasurer has been saying something quite different. He has been saying he would prefer to have a combined tax. The Treasurer cannot continue to say this and not be called on it.

I want to ask the Treasurer, can he tell us if he is in fact talking about a combined tax or if he thinks there should be a combined tax. If he is in favour of an amalgamated tax, which is what he told the Globe and Mail yesterday, can he confirm that this then means Ontario taxpayers will be asked to pay taxes on goods and services upon which they are now not paying any retail sales tax whatsoever?

The Speaker: Order. The questions have been asked.

Hon R. F. Nixon: Of course I cannot confirm that. There would be no reason for the honourable member, with his suspicious frame of mind, to think the Treasurer of Ontario is contemplating an expansion of taxation to services. We have already indicated in the Grey Book the honourable member quoted from that there is ample room for the expansion of the tax to churches, fishermen, farmers and all sorts of things.

There are actually billions of dollars foregone in tax that maybe the honourable member, if God forbid he ever had an opportunity to levy a tax himself, might be interested in, but it is not our policy to tax those things.

Now, Mr Speaker, before you rise to your feet, I think there is a good deal to be said about this and I am looking forward to an opportunity for a full discussion in the House next Tuesday on this important matter. I hope the honourable member will be present so that a fuller discussion, rather than that which is truncated by the rules of this House at the present time, will be undertaken. I anxiously await the honourable member's additional supplementary, if there could possibly be one.

Mr B. Rae: I will do my best. I just ask the Treasurer this question: He said yesterday that he was in favour of an amalgamated tax or that he could foresee the day when there would be an amalgamated tax. If that is true, how could there be an amalgamated tax that did not involve taxes in Ontario on goods and services that up to this time have not been taxed? How could it possibly be an amalgamated tax if he did not incorporate what the federal government is planning to tax?

Hon R. F. Nixon: Presumably on the basis of the policy of the government of Ontario, and we have been talking about that. I want to say further that the direction the honourable member is taking surely is not in the best interests of the taxpayers anywhere in Canada, let alone the taxpayers in Ontario.

The government of Canada has indicated it is going to go ahead with this federal tax. No one likes it. I do not know anybody who likes the tax, but the Prime Minister of Canada says he is going to go ahead with it. The Leader of the Opposition feels Ontario should continue to pay its provincial sales tax, which revenue pays many of the bills around here, close to \$9 billion. We are not thinking of doing away with that. But of course he would damn for all time the taxpayers of Ontario to pay another tax that is an entirely different base, an entirely different structure,

which is going to be an unfair imposition with all sorts of inflationary impacts.

Mr Wildman: You are negotiating right now. You are negotiating with the feds right now for a cut. What you are saying right now is negotiation.

The Speaker: Order.

Hon R. F. Nixon: I think he is taking a very incorrect and inappropriate stand, one that even his yappy member should reconsider.

Mr Breagh: What is that big red ring around your neck anyway?

The Speaker: I am waiting for a new question.

Mr B. Rae: I just love it when his neck gets red like that.

Mr R. F. Nixon: It reddens when I'm angry, but also when I'm amused.

Mr B. Rae: It is very hard to tell the difference sometimes.

Mr Wildman: Your nose doesn't grow. Your neck does.

The Speaker: Order.

Hon R. F. Nixon: I want to say something more about the windmill too.

Mr B. Rae: We know what windmills are fuelled by. We are not quite sure about the statement of the Treasurer.

The Speaker: And the question is to which minister?

PUBLIC COMPLAINTS

Mr B. Rae: I would like to ask the Solicitor General a question about his announcement today. I am sure he will appreciate that it is an announcement that just asks so many questions.

His statement is totally silent on the subject of a new Police Act. We have been told for months that a new Police Act is coming. There are many recommendations in the report that relate to a new Police Act with respect to the role of commissions and police complaints and so on. Why was there nothing in his statement at all about a new Police Act?

Hon Mr Offer: In response to the question of the Leader of the Opposition, I think it is important to realize that dealing with the very comprehensive response we have announced today, in dealing with the task force report recommendations there are a number of announcements that can be immediately implemented. Those we have certainly announced today. We have also made a commitment that

there will be others found within a new Police Act.

I did not want to wait for the actual introduction of a Police Act when this comprehensive response was prepared. I want to tell the member that it is my intention that there will be a new Police Act introduced in this session, and it will be introduced before Christmas.

1420

Mr B. Rae: My second question is this: The report of Mr Lewis says, "It is patently obvious that a publicly credible, accountable and independent civilian mechanism for public complaints is basic to responding to allegations of racial intolerance or other misconduct by all police." The Solicitor General will know the degree of complaint that is out there with respect to Bill 14, the fact that it does not apply to the Ontario Provincial Police and the fact that there are other problems in that regard.

I would like to ask the Solicitor General, what is he going to do to ensure that citizens who have a complaint about the police are able to bring that complaint and deal with it effectively?

Hon Mr Offer: I too am quite aware of the statements made by the chairman, Clare Lewis, in his report. I think it is important to note, first, that the response and the announcements I have made today are in recognition of the recommendations of that task force report. That task force report also indicated that the question of a police complaints system was outside the terms of reference.

Having said that, there is no question that many people gave some very thoughtful, committed representations dealing with that issue notwithstanding the fact that it was not within the terms of reference of the task force. I would like to indicate to the honourable member today that it is my intent, and I am committed to the principle in a new Police Act, that there is to be a universal police complaints system across this province.

Mr B. Rae: The critical question is whether it is going to be a civilian complaints system or a police complaints system. That is the question. Who is going to control it?

The Speaker: Was that your question?

Mr B. Rae: My additional question for the Solicitor General is this: It looks as if the so-called special investigative unit the minister is establishing is going to be an in-house operation within the Ministry of the Solicitor General. I wonder if the Solicitor General can tell us what he is going to do to ensure that this task force is seen by the communities out there as being

genuinely independent and able to carry out an independent investigation and not as being simply another aspect of the government's bureaucracy.

Hon Mr Offer: I think the Leader of the Opposition raises an important issue. As the member and all members are aware, the task force recommendation called for the establishment of a special investigative unit to be comprised of seconded police officers with a civilian component designed and charged with the responsibility of investigating matters around police shootings.

I very much agree with the thrust of that recommendation, but felt that it was necessary to go further. As such, we are going to establish such a special investigative unit not just with seconded police officers but with permanent persons, having trained investigators with a civilian component. We believe this not only meets the recommendation of the task force report, but goes beyond it and in fact meets the very basic and fundamental concern of that recommendation of police investigating police.

RETAIL STORE HOURS

Mr Brandt: My question is for the Attorney General. I want to advise the Attorney General—he is probably aware of it—that there are 32 shopping days until Christmas, in case he wants to buy another bow tie or anything. There are 37 shopping days if in fact you want to include Sundays in shopping days that are available between now and Christmas. If you include Christmas Eve as part of that equation, there are 38 days.

Yesterday, outside this House, if members can believe this, while the Attorney General was responding to members of the media the Attorney General appeared to be mellowing. I know that is totally out of character for him, but he was mellowing in the sense that he almost gave the impression he was prepared to take the step we have been advising him to take in connection with bringing in a province-wide injunction to stop the violators of the present Sunday shopping laws.

Is the minister prepared now to stand up and indicate that he will assist the municipalities and take that step?

Hon Mr Scott: I want to reject as categorically as I can the suggestion that I am mellowing in any respect. I am doubly hurt by virtue of the fact the suggestion comes from the leader of the third party, which is almost more than I can bear. Now I forget what the question was.

We intend to await the results of the application that will be made tomorrow by one of the municipalities in the court.

Mr Brandt: It is interesting that we are walking down the same path we had to walk down about a year ago when we had a chaotic holiday period as it relates to Sunday shopping. Over a month ago the Attorney General received a letter from a lawyer who represented some members of the retail community who were attempting to stay within the letter of the law. In that letter I quote from the writer, "Unless proper enforcement of the act takes place immediately, retailers in this province will be compelled to once again assess whether the unfair advantage being given violators of the act has put law-abiding retailers in economic jeopardy."

At that time we were not talking about grocery stores; we were talking about other forms of retail operations primarily in the electronics industry. Fully a month ago the Attorney General was warned. Why did he not take the opportunity to act at that time?

Hon Mr Scott: It is important to remind the honourable leader that the scheme of the act the Legislature largely supported and passed into law permits a retailer or any other person who wishes his premises to be open on Sunday to make an application to the municipal council which can pass a bylaw. Not everybody is happy with that regime, but it does contemplate a process whereby people who want an extended shopping right can make an application. It is a process at the municipal level, and those who want to be open when the law says they cannot be should apply to the municipal council.

If they remain open in breach of the law, as the honourable member will remember, the scheme of the act, like any other act of the Legislature, is to require municipal police to investigate, appear before a justice of the peace and lay charges. That is not only true of this act; that is true of every other enforce act the Legislature has passed. Our job in the Ministry of the Attorney General is to prosecute the charges that are laid.

Mr B. Rae: What about section 8?

Hon Mr Scott: As the Leader of the Opposition, who seems to want a third lead question, emphasizes, there is section 8 and that permits, among others, the municipality to apply for an injunction, which has happened and which I understand will be heard tomorrow.

Mr Brandt: I had some hope that the Attorney General was mellowing, but I can see now that he has simply dug himself in deeper and entrenched

his position even further, as it relates to sending out a clear message to the municipalities that they are going to have to go it alone.

I want to say that section 8 allows him to take action. He does have the responsibility under that section, on a province-wide basis, to assist the municipalities in the enforcement of the laws that were drafted by his government. Why is he now standing back and idly washing his hands of this entire matter and not taking any action whatever? I think it is absolutely unacceptable.

Hon Mr Scott: The possibility of mellowing in the light of that suggestion is beyond my imagination. The reality is we are not abandoning the municipalities or telling them to go it alone. What we are doing is undertaking to prosecute in the criminal court every charge their police officers lay. There were a hundred last weekend, and if there are more this weekend, we will prosecute those charges as vigorously as we can.

We are aware that one of the municipalities—perhaps two—has commenced an injunction application for tomorrow, and our options are to watch what happens tomorrow and keep the remaining options available. We are vigorously supporting municipalities that lay charges where breaches of this law occur.

1430

TRANSIT SERVICES

Mr Brandt: My question is for the Minister of Transportation and it relates to the announcement by the Toronto Transit Commission that it is going to have to increase fares, beginning 1 January 1990, by some 10 cents. I would like to ask the minister if he has reviewed that request and if he is aware how much of the increase in percentage terms is directly attributable to tax increases brought in by the Treasurer (Mr R. F. Nixon) and by his government.

Hon Mr Wrye: From a quick calculation, the increase is going from \$1.10 to \$1.20, which is some eight or nine per cent. I think the member would have to ask the TTC for its views on that.

The TTC is supported by this government with 75 per cent of all its capital costs and 16 per cent of its operating deficit, and which is now looking at having its first subway work done in a decade, a \$150-million first step on an expansion of the subway system. I can only say that the TTC, in terms of the millions of citizens in Ontario and in Toronto particularly who use it, remains perhaps the very best transportation system of its kind in any major city in North America. We are very

proud of the role we played in making it that kind of system today.

Mr Brandt: I would like to bring to the attention of the minister the fact that his commercial concentration levy will impact on the TTC by some \$3.5 million. Does it make sense to the minister when he knows full well that by pushing the price of transit costs higher he is putting more cars on the road, creating more pollution, more traffic hazards, more problems, more demand for highway construction and road construction which he cannot afford? Does he think that is the right way to go, and does he agree with the Treasurer that an additional \$3.5 million is justified in terms of added cost to the TTC's operations?

Hon Mr Wrye: I always agree with my good friend the Treasurer, who I think has shown really incredible leadership at a time when others are walking away from their transportation responsibilities. The Treasurer in the budget last May, I remind my friend, put forward a \$2-billion transportation capital program over the next five years. A very substantive component of that very impressive program is for the expansion of public transportation systems, whether it is GO Transit, which is an Ontario system, or whether it is a municipal system such as that of the TTC.

Without the kind of commitment that the Treasurer made on behalf of this government, the TTC would not be able to continue to offer the very outstanding services it offers the people of Metropolitan Toronto and the people of Ontario.

Mr Brandt: Perhaps the Minister of Transportation would like to clarify where the commitment went for the \$850 million in capital expenditures for hospitals. If his \$2 billion follows the same path, we will never see either one of them.

I want to say to the minister that in addition to the commercial concentration levy, the new employer health tax that is going to be placed on this employer as well as all other employers across the province is going to add still another \$2.5 million; so we have about \$6 million in additional costs as a direct result of the actions of his government. If the minister calls that a commitment to transportation, if he calls that a commitment to transit systems in this province, then he is sadly mistaken. What is he going to do to help keep rates down instead of pushing them up?

Hon Mr Wrye: Obviously no one likes to pay additional costs, but an increase of eight or nine per cent is one which the TTC has chosen to

round off to a dime rather than leave it at a nickel which, I would remind my friend opposite, would have been an increase below five per cent.

My friend talked about the kinds of commitments the government is making, and I just say to the leader of the third party that we in this government have made a commitment not just to the TTC but to GO Transit, a total of another \$400 million in terms of capital commitment over the next five years. That is additional money, some of which is already being spent to purchase rolling stock at Can-Car in Thunder Bay and to purchase additional locomotives at GM Diesel in London. So this money is being spent right here in Ontario.

In addition to that, in terms of the roadways—and I know my friend, like me, wants to see people riding on public transit—we have committed to major improvements on Highways 401, 403, 69—

The Speaker: Thank you.

Hon Mr Wrye: —Highway 11, the Queen Elizabeth Way. All over Ontario, we are going to be doing what their government—

The Speaker: New question, the Leader of the Opposition.

JUSTICE SYSTEM

Mr B. Rae: I have a question for the Attorney General. On Tuesday I asked the Attorney General a question about the contrast between the way in which he was treating the native people who are on the Red Squirrel Road and the various corporate interests around the province which are planning to open on Sunday in contravention of the laws of Ontario.

The Attorney General's lawyer was in court on Tuesday, and the Attorney General for the province of Ontario was named as the plaintiff, and in the injunction which he was seeking on Tuesday, the Attorney General was asking for an injunction against "promoting, counselling, encouraging or participating in, directly or indirectly, by public or private communication or act, the organization and supply for a physical blockade of the construction of the road."

I want to ask the Attorney General, does he not feel that there is some kind of double standard at work in the province today, when the people who own the stores, the corporate interests, Hudson's Bay and all the other companies that are around and interested in breaking the law—I have not heard the Attorney General going into court—

The Speaker: Thank you.

Mr B. Rae: —and talking about them—

The Speaker: The question has been asked.

Mr B. Rae: —"promoting, counselling, encouraging or participating in...." Just what kind of standard—

The Speaker: Order. The question was asked a little while ago.

Hon Mr Scott: I do not agree that there is a double standard. The defendants in the case to which the honourable member refers faced an injunction last week, and the four supermarkets to which he refers will face one tomorrow.

Mr B. Rae: I can say to the Attorney General, there is this difference: Section 8 of the law on retail sales, which we passed in this House, gives the Attorney General and the municipalities the power to do something. The fact of the matter is that we have a situation here in the province with respect to Sunday openings which extends beyond Peel or Durham; it extends throughout the province. It is very clear that this is part of a systematic effort by a number of companies—systematic, planned, directed, counselled, encouraged and participated in—

Hon Mr Scott: You're getting hysterical.

Mr B. Rae: No, I am not.

Hon Mr Scott: You're getting hysterical, I tell you.

The Speaker: Order. Question.

Mr B. Rae: The question that I have for the Attorney General is quite a simple one. If he is prepared to carry out this kind of action against our native people, and he has no objection to doing it, and knowing the implications of that, why is there one law for those people who are on the Red Squirrel Road and another law for the people who are planning in their corporate offices on Bay Street precisely what they are going to do to the people of Ontario? Why are there two laws in Ontario?

Hon Mr Scott: Of course there are not. I just want to draw to the attention of the House that the things the honourable leader said about the four retail organizations are essentially the things I have said, and he will join me now among those affected by hysteria; and as was said today, he is among us a high priest of justice, which was the other allegation made when words such as he used were used.

The fact of the matter is, we have indicated our prosecutorial policy with respect to companies that remain open in breach of the law when they could be applying to the city council for a variation in the law. We have also indicated, and I have today confirmed to the House, that some

of those four companies, if not all of them, will face the injunctive process tomorrow.

1440

CANCER TREATMENT

Mr Jackson: I have a question for the Minister of Health on what I fear is an all too common occurrence in this province. A constituent of mine, a Burlington resident named Irene Linneborn, was recently diagnosed with uterine cancer and underwent a massive hysterectomy on 2 November. The recovery time for this operation is six to eight weeks, and yet the doctors, with recent pathology reports, now determine that she needs radiotherapy treatments. The wait at the Henderson General Hospital would be over 11 or 12 weeks. She needs those four- to six-week treatments almost immediately. Her doctor contacted the ministry's referral service, which is operated out of Princess Margaret Hospital, and was informed that she would have to travel to Thunder Bay, nearly 1,000 miles away, and that she would have to take that trip alone unfortunately.

My question to the minister is, why is her ministry-run referral system so unable or so unwilling in individual cases such as this to understand the unique nature of what the patient is going through so that a constituent or a citizen like Irene would not have to face this ordeal alone, so many miles away, without her friends or her only daughter being able to accompany her?

Hon Mrs Caplan: In fact, the member opposite sent me a letter outlining the case he is referring to, and I want him to know that the professionals operating the referral centre are as compassionate and concerned as I am about ensuring that people get access to the treatment that they need when they need it.

I want him to know as well that the Canadian Cancer Society district offices and branches across the province are responding so that anyone who is referred to a centre in Ontario is supported. I have already spoken to my colleague from Thunder Bay who assures me that arrangements will be made to meet the member's constituent and to ensure that she has the community support through this difficult and trying time.

Mr Jackson: I have spent most of the morning on the telephone talking to this so-called referral system of the minister's. This constituent, Irene, is not even on a list anywhere in this province because her first condition was that she had to agree to get on a plane to Thunder Bay. It does

not have the sensitivity. This woman is a senior; her husband passed away two months ago. This is a very difficult time for her, both emotionally and physically. She is being asked to undertake a trip to Thunder Bay by herself. Quite frankly, she will receive the very best of treatment in Thunder Bay. That is not the question here. That is not the issue. She will be met by some very nice and well-meaning people.

The Speaker: And what is the question?

Mr Jackson: The fact is that the treatment will require her to sit in a hotel room for four or five days during Christmas, alone, with none of her family. My question is, will the minister undertake to look into individual cases such as this where it is abundantly clear that the system is not reacting sensitively to this woman's needs so that she does not have to go through this ordeal, period?

The Speaker: Thank you.

Mr Jackson: Not alone, not with people in Thunder Bay—

The Speaker: Thank you.

Hon Mrs Caplan: I want to say to the member opposite that everyone, every dedicated professional providing health services in this province, is trying to respond as sensitively as possible to meet the needs of the people of this province. I agree with him that she will receive outstanding and appropriate care in the community of Thunder Bay.

Interjections.

The Speaker: Order.

Hon Mrs Caplan: I want him to know as well that if the situation is an emergency, I have been told by ministry officials that Princess Margaret Hospital, the Bayview clinic and the clinic in Hamilton are accepting new radiotherapy patients who are emergencies or who are too ill to travel. That is what they told us; I understand that.

I want him to know that others are being referred to facilities, hopefully in this province, and then we are supporting them in those communities with the assistance of the Canadian Cancer Society. I want him to know as well that coverage of expenses for patients who choose to commute to the centre where they are being treated is going to be dealt with on an individual basis.

But if he has any concerns about whether or not the treatment on an individual basis is appropriate, or if he is concerned about whether the medical judgements about what is an emergency are being considered, those are

appropriately directed to the College of Physicians and Surgeons of Ontario.

WASTE MANAGEMENT

Mr Daigeler: My question is to the Minister of the Environment, whom I see flirting with the NDP over there. We will give him a chance to take his seat.

Some food producers have recently begun to package their products in a manner that is environmentally responsible. Also, Pollution Probe has recently published figures that show most Ontario residents would accept higher consumer prices in exchange for environmental protection, such as improved packaging. In light of these trends, is the minister taking any new steps that will encourage even more merchandisers to use environmentally sensitive packaging methods?

Hon Mr Bradley: An excellent question from the member, who I know has had a long-standing concern about this matter. In fact, I have asked—

Mr Sterling: Say that with a straight face.

Hon Mr Bradley: He has. I am just surprised that members of the opposition have not asked this question previous to this.

I have asked the Canadian Council of Resource and Environment Ministers and the federal government to establish this federal packaging legislation. We are hopeful of a report in March 1990 which will stipulate regulation and legislation in this regard.

I encourage a national approach because, as we know, one of the things we are trying to do in this country is to ensure that we have open borders between our provinces. It is certainly an advantage to have packaging which is the same, for instance, across the country and which is reduced significantly.

A principal goal of the legislation would be to ensure that products and packages are recyclable and, where it is possible, that they have some recycled content. I think this is exceedingly important.

There are a number of approaches that are being considered, I want to inform the member, including the introduction of minimum recycled content requirements for packaging materials, deposits for a wide range—

The Speaker: Order. If you have it written out, probably you could fax it to the member.

Mr Daigeler: For the opposition's benefit, just in case they do not read the newspapers, I refer them to 21 October, and there they can find some of the concerns I am expressing here. I

think they can find that themselves rather than having to ask the minister.

Many communities in Ontario currently are still without a blue box program, and recycling is also not available to most apartment residents. Given the urgency of waste management in Ontario, can the minister tell the House whether there are plans to provide these services in the future?

Hon Mr Bradley: I can respond to the member in that regard by telling him that the government has announced proposals to expand the blue box program, goals that are for diversion from both incineration and the landfilling of garbage; those goals are extremely ambitious: 25 per cent by 1992 and 50 per cent by the year 2000.

To date, our success has been very high in terms of its level. I think about 1.8 million households now are on the blue box program in the province. The \$20-million fund established by Ontario Multi-Material Recycling Inc in response to our regulation has been very helpful.

What we are doing now is we are in the process of discussing with many of the people who contribute to the problem how they can contribute to the solution. We are discussing this with a number of those industrial sectors to establish an expanded OMMRI-type structure which would expand the blue box program, which would allow for movement into apartments, which would of course get deeply involved in composting, which we think can be extremely important. I believe it is critical that we embrace the idea that those who produce the product or the waste should be responsible for its ultimate fate.

LABOUR DISPUTE

Mr Mackenzie: I have a question for the Minister of Labour. As he is undoubtedly aware, the 400 workers at the Libbey-Owens-Ford plant in Lindsay, members of CAW Local 225, have now been on a legal strike for three weeks over the issue of wages and benefits; yet despite the fact that this is a legal strike, the company is using the local police to allow strikebreakers to cross the picket line.

What action is the minister taking to ensure that the strikers will not be arrested, as is now happening, for exercising their right to try to talk to the scabs who are crossing the line?

Hon Mr Phillips: I am aware of the situation. In this case, as I understand it, I think we have had a request for the Ontario Labour Relations Board to take a look at the possibility of asking for a vote on the final offer of the company. That

is one situation. I believe the labour relations board is talking to the two parties now to see if that is a possible next step in the matter. Our industrial relations group is available to help both sides, if requested, to resolve those situations, and we are available to help both parties to move forward towards a solution.

1450

Mr Mackenzie: As the minister should be well aware, Libbey-Owens-Ford is the plant where a large number of workers were sensitized to isocyanates, a problem which led to extensive struggles over the workers' rights under the Occupational Health and Safety Act. In fact, Libbey-Owens-Ford flagrantly flouted the health and safety laws of the province and now the company is perpetuating its image as one of the real worst corporate citizens in Ontario by using local police to allow strikebreakers to cross that picket line. How can the minister allow a company that clearly has little, if any, respect for the labour laws of this province to use the law in contravention of the workers' rights in a legal strike situation?

Hon Mr Phillips: Two things. We, of course, will look at the situation, and if there is anything that is being done illegally there, we will ensure that it will be corrected. I think the second thing is a reminder to all of us here about the importance of moving forward on occupational health and safety. Certainly I hope the plans that we are all looking forward to implementing on Bill 208 will resolve circumstances that may have existed in a case such as we have heard about today.

COURT SYSTEM

Mr Sterling: I have a question to the Attorney General. In Ottawa there has been a lot of publicity over a trial involving one Doug Small relating to a charge for possession of stolen property under \$1,000 relating to the federal budget leak. What has happened in Ottawa recently is that this trial has taken precedence over some other very serious matters before the provincial court (criminal division) and the priority that has been given or was to be given was over a trial involving a dangerous offender convicted of sexually assaulting a young child. I do not believe, notwithstanding the notoriety of the other case, that the priority of the justice system should be based on this matter. Could I have the Attorney General's comments with regard to this particular matter?

Hon Mr Scott: The honourable member will know that the rule of judicial independence

permits trial judges the exclusive determination of the priority that is to be assigned to trials. Now we have to, of course, provide facilities for them. That is a public responsibility that I bear, but in this particular case the determination that this case should proceed in place of the other case to which the honourable member refers, is a judicial decision made by the two judges conducting the case and it is exclusively within their capacity to decide.

Mr Sterling: In the words of the crown attorney, Mr Berzins, in relating to this, he said it is unfortunate. When the trial was to take place in the latter part of May, he said: "What I am saying is that is reality. That is what exists with all our cases." In other words, the problem is not with what the courts are deciding or the independence of the judiciary, even though I may personally disagree with a particular judge, but the problem relates to the fact that the courts are backlogged and cases that are now appearing in front of the judges are being heard in September 1990. When is the Attorney General going to address this situation so that matters can come before the courts in a timely manner?

Hon Mr Scott: The honourable member has the problem all wrong. Though there are delay problems in Ottawa being addressed by the delay reduction committee, this instance has nothing to do with delay. The judge who presided at the Small trial thought that the case should proceed in December. In order to achieve that, an adjustment was made in the list so another case was stood down. That is exclusively a judicial function.

The crown attorney in Ottawa is critical of that judicial decision, which he is perfectly entitled to be, as is the honourable member. Others may be critical of it, just as one may be critical of judgements that the courts make, but that does not mean we can make the judgements in place of the judge. The judge was discharging his judicial function in an entirely appropriate way. It is a matter exclusively within his authority.

Mr Sterling: Why does it take nine months?

Hon Mr Scott: It does not.

SUSTAINABLE DEVELOPMENT

Mrs Grier: My question is for the Treasurer and it concerns a document that has become known as project X, which I hope the Treasurer will acknowledge originated in his ministry or with which he was connected during its development. In response to the concerns expressed about this document and its recommendations that the land use planning process be expedited at

the expense of the environment, the Premier (Mr Peterson) wrote to a number of environmental groups that had contacted him saying: "The document cited in recent media coverage does not represent government policy. That document was a staff report." The Premier went on to say that he would appreciate any specific comments and suggestions the group had on the staff report.

Could the Treasurer please clarify for the House, if the document is a policy proposal or a staff report on which public comment is invited?

Hon R. F. Nixon: The document to which the honourable member refers is in response to the government's efforts to reduce the time needed to process applications for development. The design was particularly important, since it is generally accepted that the costs of land for development are about 30 to 40 per cent increased by the length of time presently required for this. The basis of the document is not to speed it up at the expense of environmental protection, and the honourable member, reading the document which has become public, would surely be aware of it, but simply to see that there is a minimum of duplication in the areas where government approval, municipal and provincial, is required.

The status of it is exactly as the Premier has indicated. It is a staff paper that is not policy, but there is still a concern in the government that the time required for planning approvals is too long. There is no thought of reducing the care with which the decisions are made, but something other than the average 4.3 years for response should be at least an aim.

Mrs Grier: It is obvious from the Treasurer's response that the ideas expressed in the paper are still very much alive and being pursued by the government. I find that at variance with a response that the Minister of the Environment (Mr Bradley) gave me on 31 October 1989 during discussion of his estimates, when he said, "Project X is dead; it was never alive." There is a Monty Python skit about whether a parrot is dead or alive and I would like to ask the Treasurer, is the document a dead parrot or a live parrot?

Hon R. F. Nixon: I have not seen the document for a long time and I expect that it, as a document, is dead. The need, however, for improving the process of planning is very much alive and a matter of concern not only to supporters of the government, but of every reasonable citizen in Ontario, including some who may even be found in the opposition.

ROUGE VALLEY

Mrs Marland: I have a question for the Minister of the Environment. We have stood in this House in our party for the last two years and asked him questions about the Rouge Valley and the Rouge Valley tablelands. These lands are publicly owned. It was decided a large number of years ago that it should be a conservation area and the question of these lands is still before the Ontario government. The people of Ontario are asking the Ontario government to make a decision.

My question is this: Since there is other property available for public housing, at least 2,000 acres in the greater Toronto area, and since housing on these lands would not be affordable housing in any case, what is it that will make the Liberal government finally decide on the future of the Rouge Valley and the Rouge tablelands and save them, as the people of Ontario have asked the minister?

Hon Mr Bradley: I think that is a question that could be addressed to any other minister, but I am happy to answer it because I have an interest in this, as well. As the member well knows and has been stated publicly in this House on many occasions, the government of Ontario is interested in preserving the Rouge lands and has been for some time, and has indicated that publicly.

The Ministry of Natural Resources has done it not only by means of indicating it publicly but by acquiring land and spending considerable money and being involved in the development of passive lands in that area for park purposes. There has been a statement by the Premier that he is interested in seeing those lands preserved; he—once again, when we were talking about the waterfront in Toronto and other areas—has indicated this. It is simply a matter of determining specifically which lands we are talking about because there are some lands beyond what many people thought were the narrow confines of the Rouge Valley that are being looked at as well for the purposes of parks and passive uses. That is why defining the specific boundaries is important as is defining the specific recreational uses, if any, that would be permitted within those boundaries.

1500

So I think this has been very clear for some period of time. I recognize the member has an interest in this, and I am pleased to see that she is asking this question. I know that my colleague, the Minister of Natural Resources (Mrs McLeod), is excited about the potential for this

particular area, as are all members of the government, including the members who represent that area.

The Speaker: Thank you.

Hon Mr Bradley: As Minister of the Environment I am interested in seeing that kind of outcome in this—

The Speaker: Thank you.

Mrs Marland: The question was not about the property within the Rouge Valley itself, and I wanted the minister to hear the question very carefully because it is the same question that I have asked the Premier of this province; I have asked the Minister of Natural Resources; I have asked the Minister of Government Services. I am asking the minister today, as Minister of the Environment, what is it that makes this Liberal government sit on its hands and not make a decision? If this government is so keen on preserving it, why do you not tell the people of Ontario that you want to preserve it instead of going on for two years saying, "Well, we have got—"

The Speaker: I think we had the question.

Hon Mr Bradley: I think that the Premier has made this very clear on a number of occasions both here in Metropolitan Toronto and in other places where he has been asked about this. He has been very clear about the future plans in that area not just for the confined area of the valley. There is not anybody in the Legislative Assembly of Ontario who believes for one moment that if the opposition were in power that we would be retaining the degree of lands and looking at the uses that we see potentially for the Rouge Valley.

To be lectured by the opposition, particularly that party, about the retention of this particular area is just stretching it a little bit, particularly when the Premier of this province has made it so clear on a number of occasions that we see that, as a government, as being an exciting potential for urban wilderness area in this area, and we want to ensure that there is sufficient land taken into consideration, that the uses that are ultimately there are compatible with the people who reside throughout Metropolitan Toronto and that it is retained in a state which is acceptable to everyone.

I think that has been very clear, whether it is the Minister of Natural Resources speaking, whether it is the individual members from the area, or the Minister of Government Services and others.

The Speaker: Thank you.

Hon Mr Bradley: All of us have said this, and the member is attempting to manufacture an issue which is not, and it simply—

The Speaker: Order.

SEXUAL ASSAULT

Mr D. R. Cooke: I have a question for the Attorney General. In January of this year this House unanimously approved at second reading a bill to amend the Limitations Act in cases of sexual assault where the plaintiff is constrained in exercising her cause of action because of a physical or emotional restraint until after the limitation period expires. At that time, the Attorney General generally withheld comment pending a complete review of the Limitations Act, which hopefully will bring some uniformity to limitations in various areas of the law. Can the Attorney General tell the House at what stage this review is, and when we might see a government bill amending the Limitations Act?

Hon Mr Scott: As the honourable member knows, because he has maintained a vigorous interest in this important issue, the proposal that was the subject of his resolution is one of a number of proposals made in the process we have developed that was designed to consider and, if the government agrees, introduce a new Limitations Act for the province of Ontario. The proposal the honourable member makes is one that has attracted a good deal of support, and those organizations with which we are consulting have had the opportunity to comment on it and all the other provisions as well.

In fact, one of the major consulters, the Canadian Bar Association, which has an interest in many of these matters, forwarded to us some short time ago its determinations with its reasons for those determinations to follow. We hope to have those in hand shortly. They will be shared broadly and we hope that in due course the government's decision will be made and announced.

Mr D. R. Cooke: The Canadian Bar Association—Ontario rightly is concerned about bringing uniformity to the Limitations Act and therefore in concert with their representatives, I prepared a new amendment to the Limitations Act, Bill 57, which I tabled in July.

Rather than trying to extend the time frame in the manner of the bill which was heard in January, Bill 57 simply reverses the onus requiring the defendant to raise and show beyond a balance of probability that the plaintiff had all her physical, mental and emotional wherewithal

when the limitation period was on, if there is to be a limitation period at all.

Would the Attorney General care to comment on this bill and whether the government is considering including this concept in the omnibus Limitations Act?

Hon Mr Scott: I hasten to say that the honourable member has spent a significant period of time trying to draft and craft responses that will meet the needs of this problem and the difficult issue that the court case reflects. Indeed, if it would not offend him to say it, his concern about this kind of issue and the dedication with which he has addressed it in depth is a model that opposition members might well want to consider in forming legislative policy, and is much to his credit as I am sure will be recognized everywhere.

We are considering both of the possibilities that the honourable member has suggested. The question of where the onus lies is of course a critical question, about which not only the bar association but women's groups and other organizations have had much to say. The honourable member will be aware of that and when all the comments are in, the decisive process will promptly begin.

AIR AMBULANCE SERVICES

Miss Martel: I have a question for the Minister of Health concerning air ambulance services. Regulations 57 and 58 of the Ambulance Act state that in an emergency, medical care assistants must work with another qualified partner in carrying out duties and, while the ministry has been interpreting that to decide whether that applies to air ambulance as well, there has been no ruling to the contrary so I assume the same provisions apply.

I was surprised to learn that at air ambulance bases in Timmins, Thunder Bay, Sioux Lookout and Buttonville, staff all had to work alone while their partners underwent advanced life support training. I would like to ask the minister why, in fact, this is occurring?

Hon Mrs Caplan: As the member opposite knows, the air ambulance system has been reviewed. We had an expert, Mr McLeish, in. I received his report. I have accepted the recommendations of the report in principle. We have invited the Ontario Public Service Employees Union to work with us to see that the recommendations are implemented and I am pleased to say to the member that I believe that implementation process has begun.

Miss Martel: The question is, what is happening with training? I met with OPSEU representatives in the Sudbury district last week. They advised me that their staff wanted advanced life support training. However, they did not want to downsize at the same time because they were concerned about health and safety of their own workers and the health and safety of patients. They want to work together as a team. They have been told that unless they downsize, they will not get the training that they require and deserve.

I would like to ask the minister if she can ensure that the Sudbury air ambulance attendants are going to receive advanced life support training without having to downsize their staff?

Hon Mrs Caplan: I can assure the member that I am concerned about making sure that the appropriate standard of care is available across this province and that we work to implement the McLeish report co-operatively with OPSEU, that the ministry officials are dedicated and determined to have that report in place and they tell me it is possible to have that done by the end of March. I would say to her that in fact that is ongoing at the present time.

1510

POLIO VACCINE

Mr Brandt: Information has just been brought to my attention within the last few moments about an extremely troubling situation relative to our health system. I do not know whether the minister is aware of the fact that there is a shortage of a polio vaccine known as DPTP quad vaccine. I want to bring this to the minister's attention, because the information I have is that the government has been aware of this shortage. It is not being supplied to our doctors in our hospitals. Apparently, most at risk are children up to two months of age.

The shortage is something the Ministry of Health has known about and is apparently now attempting to do something about. But the continuing shortage will carry on, to the best of my information, for some time.

I wonder if the minister could indicate whether she is aware of the situation and what she intends to do about a very troubling and critical matter; namely, the supply of this absolutely essential vaccine.

Hon Mrs Caplan: I will say to the member that I am certainly prepared to investigate the allegation or the suggestion that he has made. I would say as well, as I have said on many occasions in this House, how important it is for us to ensure that information is accurate so that

the people of this province can maintain confidence in what is a very excellent health care system.

That does not mean it is perfect and that does not mean that we cannot do better tomorrow, but I will say to him that I will investigate this suggestion and the concern that he raises.

PETITIONS

HIGHWAY SAFETY

Mr D. W. Smith: I have a petition to the Lieutenant Governor and the Parliament of Ontario from 373 petitioners from the community and the surrounding area of Arkona. They are very concerned about the traffic that comes together at the point of Highway 79 and county road 12. There have been a number of accidents there and these people are very concerned. They would like to see a stoplight installed there to prevent any serious accidents in the future.

FRENCH-LANGUAGE SERVICES

Mr Furlong: I have a petition signed by 54 residents of my riding requesting that the Legislative Assembly of Ontario pass legislation repealing the French Language Services Act. While I do not personally subscribe to these views, I have affixed my signature to the petition as required by the standing orders.

Miss Martel: I too have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is signed by 911 residents in my riding. They are requesting the withdrawal of Bill 8. While I do not agree with their intentions or their purpose, I have affixed my signature to it and present it on their behalf.

VISITOR

The Speaker: Before I call for the next order of business, I know all members would want me to draw attention to a visitor in the lower west gallery, Luc Guindon, a former member.

REPORT BY COMMITTEE

STANDING COMMITTEE ON ESTIMATES

Mr McCague from the standing committee on estimates reported the following resolutions:

Resolved that supply in the following amounts and to defray the expenses of the following ministries and offices be granted to Her Majesty for the fiscal year ending 31 March 1990:

Ministry of the Environment: ministry administration program, \$36,670,500; environmental services program, \$95,369,400; environmental

control program, \$99,232,900; utility planning and operations program, \$297,183,900.

Ministry of Municipal Affairs: ministry administration program, \$7,063,400; municipal affairs program, \$508,321,500; community planning program, \$43,836,300; municipal education training program, \$3,097,100; Niagara Escarpment Commission program, \$1,899,600; Ontario municipal audit program, \$1,684,200; waterfront development program, \$564,900.

Ministry of Transportation: ministry administration program, \$52,353,200; provincial transportation program, \$20,077,400; transportation regulation program, \$103,510,700; provincial highways program, \$789,906,900; provincial transit program, \$251,284,500; municipal transit program, \$395,656,000; municipal roads program, \$700,261,800.

Office for Disabled Persons: Office for Disabled Persons program, \$7,859,000.

Office Responsible for Senior Citizens Affairs: Office Responsible for Senior Citizens Affairs program, \$9,392,100.

ORDERS OF THE DAY

House in committee of the whole.

ONTARIO MUNICIPAL IMPROVEMENT CORPORATION AMENDMENT ACT, 1989

Consideration of Bill 18, An Act to amend the Ontario Municipal Improvement Corporation Act.

The First Deputy Chair: Mr Phillips moves that Bill 18 be reported.

Bill ordered to be reported.

DEVELOPMENT CHARGES ACT, 1989

Consideration of Bill 20, An Act to provide for the Payment of Development Charges.

The First Deputy Chair: Mr Phillips moves that Bill 20 be reported.

Bill ordered to be reported.

INDEPENDENT HEALTH FACILITIES ACT, 1989

Consideration of Bill 147, An Act respecting Independent Health Facilities Act.

The First Deputy Chair: I believe that we have some amendments. The chair is aware that the Minister of Health has provided us with a number of amendments to a number of sections. I believe the member for Riverdale (Mr Reville) has provided us with some amendments, and the member for Parry Sound (Mr Eves), I believe, has some. If there are amendments other than

from those three members, please assist the chair by providing us with them.

Hon Mrs Caplan: I request permission from the House to move over and to ask my staff to come forward as we proceed through committee of the whole.

The First Deputy Chair: Is the House in agreement that staff be allowed to the minister?

Agreed to.

The First Deputy Chair: I am going to need a little assistance from members this afternoon. I am sitting in the middle of a great white pile of amendments to the bill from all quarters. If you are patient with the new chair, I think we will proceed through the afternoon.

Does the minister have any opening remarks? Will she indicate where she has proposed amendments? Then we will go through a rotation to other members who have amendments.

Hon Mrs Caplan: The bill, as members know, has been considered by committee. We have met further with some parties with interest in the bill, and as a result of the discussions and deliberations, we have a few amendments, all of which would fall into the category of either clarification, with the original intent, or an appropriate and fair response, as I said I would give, to the amendment to subsection 7(7).

The First Deputy Chair: Could you indicate to the chair the sections where you are proposing amendments? If you would just go through that list, that would help us.

Hon Mrs Caplan: The amendments have been circulated. Do you want the sections?

The First Deputy Chair: Yes.

Hon Mrs Caplan: Subsection 1(1); clause 6(3)(c); section 7, adding clauses 8(a) and (b); clause 11(2)(b); subsections 11(3) and 11(4); subsection 11(5); subsection 13(2); clause 16(1)(a); clause 18(1)(f); paragraphs 42(1)28A and 42(1)28B; paragraph 42(1)29; section 42; subsection 43(3).

I believe that those are the ones that have been filed.

1520

The First Deputy Chair: Okay. The member for Riverdale—if you would give us notice of the sections where you are proposing—

Mr Reville: Yes, I would be glad to do that. Before I do that, I would like to point out that this is an unusual situation, and this is the second time we have been at this stage of the process. The bill was ready for committee of the whole and then was referred back out for another four days of

public hearings, out of which have flowed some additional amendments.

I point out for those members who have an extraordinarily long memory that when the bill was introduced on 2 June 1988, almost a year and a half ago, it was 24 pages long. That copy is no good any more. When it came to committee after second reading, we were provided, thoughtfully, by the government a copy of the bill reprinted to show amendments that the government had decided to make before the public hearings. That made the bill 30 pages long.

After we had the hearings, amendments were incorporated and the bill became 32 pages long. It is the copy that says, "Second reading, February 22nd." Anyone who has the previous two editions should put those in the archives, where they belong.

So we are now working from this, and this day we have 13 amendments from the government, three amendments from the official opposition and five amendments from the third party. Depending on what happens to these, the pagination of Bill 147 may have to be altered once again.

However, that is all by way of preamble to say that I have amendments to subsection 5(7), section 7 and subsections 7(3a) and 7(3b). I am putting them in order on my desk and I hope that I get it right.

The First Deputy Chair: Would the member for Parry Sound give us an indication of where he will have amendments.

Mr Eves: I too would like to make a few preliminary comments. The member for Riverdale is quite correct in saying that this is the second time that we have arrived at this stage of the process, but I think in fairness to the government, it quite properly reopened public hearings with respect to the concerns of radiologists and radiology clinics and, indeed, even radiologists operating within the hospital setting, as initially the government, by its own admission, had indicated that this bill was only designed to apply to anywhere from a dozen to two dozens independent health facilities in the province.

In fact, they had even notified the radiology association in writing that there would be no need for it to request to appear before public hearings because: "Rest assured, it is not the intention of the government to include you people within the guise of Bill 147. We are just going to start off slowly here with about 12 clinics being grandfathered in the province, and the most we would ever think about licensing would be five or six a

year after that. The bill is very minimal in scope and you people do not even have to bother coming, because we are not going to affect you."

Of course, then we found out that indeed after what is now infamously known as the Reville amendment—I refer to it as the Barkin-Reville amendment—we then decided to include some 1,800 radiology clinics in the province of Ontario. That is just slightly more than 12–1,800—so we have expanded the bill just slightly over the last few months of deliberations.

Mr J. B. Nixon: Did you vote for the amendment?

Mr Eves: We are getting to those.

Mr J. B. Nixon: Did you vote for it?

Mr Eves: This is all to do with those amendments, the member for York Mills will be happy to know.

So here we are. We finally did give the radiologists an opportunity to appear before the committee after we decided to include them, or some of us decided to include them. I must admit that I originally voted for the infamous Reville amendment. I think it is only important that I be honest and forthright with the members of the Legislature and the public.

But having had some time to reflect upon the scope and what I think the effects and results of the Reville amendment will be, I think I have changed my opinion slightly, especially after having heard these groups that appeared before the committee.

Now, that brings us to the point in time, as my good friend the member for Riverdale was commenting, when this bill, which apparently was in excess of a year and possibly as long as two years in the making, the Independent Health Facilities Act—if members go back to the second reading debate which took place many months ago in this Legislature, they will see that the government, the Minister of Health (Mrs Caplan) expounded in the Legislature that the reason for introducing Bill 147 in the first place in this House was to increase community-based health facilities throughout the province of Ontario, putting a bigger emphasis on community-based health care, and presumably to afford more accessibility at a lower cost or more efficient cost to the people of Ontario.

That brought us to the point where the bill was debated at some length in this Legislature in second reading. As the member for Riverdale has quite properly stated, the bill originally was 30-some sections long. Then after the second reading debate, before we even proceeded to public hearings, the ministry introduced 22

amendments of its own to, I believe, a 31-section bill, at that point in time; 30-something anyway.

So then we had the reprinted version of Bill 147 as the committee started its deliberations to go through public hearings. One member of the government, who unfortunately was a member of the committee, was put in the rather embarrassing position of having to move that a reprinted bill be treated as the bill, because to introduce the government's 22 amendments one at a time would indeed be a very time-consuming and perhaps somewhat embarrassing process for the government from time to time.

So we on the opposition side of the House sort of snickered to ourselves, but we said: "Fine. We'll overlook the government's incompetence and we'll treat the new printed bill with 22 amendments to 31 sections as the bill. We know you didn't have much time to prepare this bill, only two years. You know, that wasn't quite enough time to get your act together."

Then we went through public hearings, and during public hearings there were 16 government amendments introduced that were passed to this piece of legislation. So now the government has amended it 22 times before it got out, 16 times when it was in committee. Surely, 38 amendments to a bill that started out with about 31 or 33 sections to start with—that is more than one per section. One would have thought that would have been sufficient to correct all these deficiencies for this piece of legislation that they had now been considering for over two years. That would be reasonable to presume, if things were being done in an efficient operation and way, I would think.

But apparently not. There were a few opposition amendments that were even agreed upon in committee, I must say, by myself and by the member for Riverdale. Here we are at this stage of the proceedings, where we have the ministry officials as late as this morning presenting members of the opposition—and I must say that they graciously afforded us the opportunity of explaining to us what the amendments were about and why they were introducing them. We appreciate that, but here we have another 13 amendments, as my colleague the member for Riverdale has already indicated.

That brings the government amendments alone to this point in the proceedings to 51. Let me see now. Oh, there are only 45 sections in the bill and we have had 51 amendments today. That is more than one per section. I really do find this rather astounding and I suppose the government's response to this is that it is listening to the

people. I thought that was what they were doing for the two years before they drafted the bill in the first place, but apparently they were not. However, they are now. Better late than never.

I will be moving amendments today to subsection 1(1), subsection 7(7), subsection 8(1), subsection 9(5) and subsection 22(1).

1530

The First Deputy Chair: It is going to be a busy afternoon. I do not see an easy way to proceed with this, so I suggest that with the concurrence we will do this clause by clause. The government has an amendment to subsection 1(1). Perhaps we could begin with that.

Mrs Caplan moves that subsection 1(1) of the bill be amended by adding thereto the following definition:

“‘maximum allowable consideration’ in relation to a licence for an independent health facility means,

“(a) if section 7 applied with respect to the facility at the time it came into force, the amount prescribed by the regulation or determined by the method prescribed by the regulation; or

“(b) in any other case, zero.”

Hon Mrs Caplan: I would like to just very briefly explain this and the series of amendments that follow for sections 11, 13, 18 and 42. We are making amendments that permit an amount to be paid for the transfer of such licences that reflect the goodwill value of the practice prior to the act coming into force.

These amendments are introduced to fairly compensate any grandfathered facility, upon transferring its licence, that feels that it may have been penalized by the act by therefore removing the value that in some cases was built up over a period of years of operation. Should the grandfathered facility wish to transfer its licence for an amount beyond the prescribed licence fee, it may make a proposal according to the regulation and the drafting and in an amount that will be set out via the regulation following discussions with those persons who are most directly affected.

This was in fact the representation made to me personally when I met particularly with the radiologists as a result of the amendment to subsection 7(7). We heard it as well through the course of the public hearings. We believe that this approach is one which will respond appropriately and fairly to the concerns that were raised.

The First Deputy Chair: Any further discussion on the proposed amendment to subsection 1(1)?

Mr Reville: On a point of order, Mr Chair: The member for Parry Sound has an amendment

to that same section. Perhaps it would be appropriate if he put that.

The First Deputy Chair: I think, to save my soul, we will deal with them one at a time.

Mr Reville: All right. Fair enough.

Mr Eves: Mr Chairman, I have a comment about the proposed amendment that the minister is making, I guess on a point of clarification. I would like to ask her if the purpose and the ultimate result or intent of her proposed amendment is indeed that only radiology clinics, so to speak, for lack of a better terminology, covered by subsection 7(7), are going to be caught by this amendment, or are all grandfathered independent facilities period, such as Dr Stein's eye clinic, also going to be included in her amendment?

Hon Mrs Caplan: All grandfathered independent health facilities will be grandfathered and entitled to the application of this amendment as proposed.

Mr Eves: My concern is that all grandfathered facilities are included. I was not clear on that. I still would like to place my amendment, because I understand that all three parties have agreed that we will not be voting on these amendments in committee of the whole House until, I believe, Monday afternoon, at the conclusion of the day. We have also agreed by unanimous consent that any votes that are required will be agreed upon in that fashion. So would the chair like to direct me as to how he wishes to proceed? Do you wish me to read my amendment now or do you wish to deal with the minister's at this time?

The First Deputy Chair: We are running into a little difficulty here. The chair is not aware of any agreement, for starters. Second, as far as the chair is aware, Monday is designated as an opposition day. So I believe the best that I can offer you is that the House can agree to stack a vote, and we can do that. Perhaps some time during the course of the afternoon someone could provide us with a little more information.

I would just say this too. We are in committee, so we can be a little more flexible than we normally would be. There is no problem. If we want to defer votes, if we want to provide the member for Parry Sound with an opportunity to put an amendment, we can be a little more flexible. We are not looking for trouble this afternoon.

Hon Mrs Caplan: I am assured by legal counsel that the amendment I have placed will achieve the objective the member seeks, and I believe there will be an opportunity for him to have that opinion verified.

Mr Reville: On the procedural matter, it would be appropriate perhaps to have three-party agreement now to stack votes. There was a discussion at the House leaders' meeting this morning that the vote on the stacked votes would take place after the vote on opposition day on Monday.

Now there is a way in the standing orders to achieve that. We thought we might achieve it by a unanimous consent approach, if that was acceptable to you, Mr Chair. It would be interesting, I think, to see if all three parties would agree to take the vote on the stacked amendments following the vote on the opposition day resolution on Monday, somewhat after 5:45 of the clock.

The First Deputy Chair: I will give you something to think about then. We have no problem with deferring votes while we are dealing with the bill. Some options you may wish to consider are to leave a final vote until a later date and do it then. I can think of at least one little difficulty you are going to have. If bells are ringing and it is after six o'clock when you come back, we are out of business. So perhaps while we are doing this this afternoon, others can amuse themselves with a way around that. There are other ways to handle it.

Are we ready for the first amendment then? I take it we are.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

We have an agreement that we will defer these votes.

I am having a bit of a problem here. I do not want to look around the chamber too much this afternoon, but we are being a little lonely in here. Could some messages be sent to other quarters? For example, if someone does want to cause a division, I believe the standing orders say we need five people to stand in their place. This early in the day, I do not usually have double vision and I would certainly need it to see five members standing.

Mr Reville: The difficulty has been created by what we had thought was an appropriate agreement that was made that where there were contentious issues, those would be dealt with at a later time. I do not want to be difficult and I certainly want to make the proceedings go along as smoothly as possible, but the House is not jam-packed because in fact we were going to discuss these amendments. Where there were issues of contention, those were going to be put

over until another occasion. We can create this division if you think it is necessary, but—

1540

The First Deputy Chair: I am a little reluctant to suggest that people seek unanimous consent to do this, but it does seem to me that on all three sides there is agreement that we will defer these votes. So I think we will just leave it at that and we will defer them to the end of the sitting or until the bill is finished. Is that understood?

Agreed to.

Vote stacked.

The First Deputy Chair: Mr Eves moves that subsection 1(1) of the bill be amended by adding thereto the following definition:

"'Maximum allowable consideration' in relation to a licence for an independent health facility means the amount prescribed by the regulations or determined by the method prescribed."

Mr Eves: I have already briefly made my comments on the amendment. In the final analysis, it may or may not be necessary when we come to vote, but I would like to have the opportunity to check out the legal implications of the amendment prepared by the ministry. So at this point in time I would like to move this amendment, which I think is a little simpler and clearer as to what the intent is. I have already stated that and that is my purpose for moving the amendment.

Vote stacked.

Sections 2 to 4, inclusive, agreed to.

Section 5:

The First Deputy Chair: Mr Reville moves that section 5 of the bill be amended by adding the following subsection:

"(7) If a person petitions the minister in writing to request proposals for the establishment and operation of an independent health facility, the minister shall,

"(a) consider the petition; and

"(b) if the minister decides not to request proposals, give written reasons for his or her decision to the person who made the petition."

Interjection.

The First Deputy Chair: Perhaps you would let Mr Reville—

Hon Mrs Caplan: Sorry. I am new at this.

Mr Reville: Yes, quite often the person who introduces the amendment will speak first to explain why he or she moves the amendment and the people who want to speak then, speak then.

This is an amendment that flows from deputations made to the committee by groups

that were concerned that the other methods of generating proposals to which a response could be made might leave out some kinds of endeavours. For people who are not familiar with the bill, the way an independent health facility gets created is either it is designated an independent health facility and grandfathered and then licensed or it is licensed following a process that is begun within the Ministry of Health or as a result of a needs assessment that a district health council has done, after which the minister may ask for submissions to be made to fulfil the undertaking identified by the district health council.

It is going to be necessary to be blunt about my concern in this regard. Although there were efforts during the hearings to not talk about abortion services directly, I fear that I cannot adhere to that bluntness blackout. Given the government's record in terms of providing abortion services and given the difficulty I believe district health councils across the province may have in coming to grips with some kinds of health services that may be seen to be controversial and/or political, I do not suspect that we will see, either from the district health council or from the Ministry of Health, proposal calls for groups to establish abortion services through an abortion clinic or a women's health centre which included abortion services.

The evidence I have for this concern of mine is that we have seen that three free-standing abortion clinics have been established in the province, presumably because those who established them felt that there was inadequate access for women in Ontario to abortion services provided by hospitals. In fact, the evidence is that all three of those free-standing abortion clinics in downtown Toronto are providing a large number of services to women from all parts of Ontario. For whatever reason they come there, it is clear that they do. For instance, the Choice in Health Clinic, since its opening a little over a year ago, has provided services to 2,000 women, and the Scott and the Morgentaler clinics have provided more than that.

This is a case in which a health care vacuum was allowed to be created by the government and that vacuum was filled through the initiative of people not connected with the government, by health professionals and others who decided that they would provide these services in spite of the fact that there was some ambivalence about the status according to various federal and provincial laws.

Similarly, the Toronto Birth Centre, a project close to my heart and some of the adherents of which live in my riding and speak to me frequently about their interest in birthing centres, has for a decade urged the Ministry of Health to allow that alternative for parents who wanted to bring their children into the world in a setting that was other than a hospital or, alternatively, the back seat of a cab.

The response of Health ministries over this decade—and I do not want to single out solely this minister because there have been probably half a dozen ministers in the decade—have basically sandbagged—now that may be a loaded word, but I think it fairly describes what the governmental response has been—this very detailed operation, which has absolutely finely detailed protocols for how they would deliver this service. This service, notwithstanding, has never been funded, has never been allowed to operate, and it makes you think that you need another avenue to ensure that a good idea is not buried under an avalanche of inertia or bureaucracy.

That is why the amendment suggests that if people have a proposal or a health service that they believe is needed, they may petition the minister to request that he or she ask for proposals. Should the minister decline to ask for proposals, the minister must give reasons. That just seems to be ordinary good manners on the one hand and provides for appropriate government accountability on the other.

1550

Hon Mrs Caplan: I will not be supporting this amendment. We had this same debate and discussion in committee. I do not believe the amendment is required, as petitions can be made and are now made directly to the minister. The district health council process is not a requirement in the legislation as the member opposite knows, my critic who has spent so much time looking at this bill and making some very worthwhile representations, I believe, in the public interest.

He knows that the district health councils are advisory to the minister and that the minister may at any time issue a request for proposal on the basis of the need assessment. I would say to him that I believe that is set forth in the public interest criteria and that the concerns he has are addressed in the bill as it presently stands.

Mr Eves: This is a novel approach by my colleague the member for Riverdale. There are possibly, I suppose, some independent health facilities that would be needed, proposals for which were not requested by the ministry. I

would at least consider supporting this proposed amendment to section 5.

Vote stacked.

Section 6:

The First Deputy Chair: Mrs Caplan moves that clause 6(3)(c) of the bill be struck out.

Hon Mrs Caplan: The intent of this legislation very clearly always has been that preference be shown to nonprofit Canadian-owned corporations. That in fact remains in the bill. This amendment strikes out the preference for nonprofit Canadian-owned management services, which was never intended in the bill in the first place. In fact, in Canada and in Ontario today there are many multinational companies providing all kinds of services. We believe this amendment is necessary to ensure we do not unfairly discriminate against those who are already providing services in this province.

Mr Reville: Members will recall that section 6 is the so-called free trade section of this legislation. When the bill was introduced in June 1988, prior to an electoral event in respect of another place, there was a good deal of concern in this province and elsewhere in the country about what would happen to our health care system if free trade were to become a reality. The government included a number of sections intended, it said, to protect our health care system from being overwhelmed by American health megabusines.

I understand the nature of the amendment. I also recall, dimly, from my reading of the free trade agreement that management services in respect of health care facilities, blood banks and a number of other things were in fact included in the free trade agreement. I continue to think we need the kind of protection that was in the government's mind when it originally wrote clause 6(3)(c) into the bill. Therefore, I think it should stay there and I will not be supporting the government amendment.

Hon Mrs Caplan: I would just like to point out, if I could, that this was not in the original printing of the bill. This amendment does not affect the ownership of independent health facilities where preference for nonprofit Canadian ownership remains. This affects the management only and in fact was not in the first printing of the bill.

Mr Eves: That is an interesting comment indeed from the Minister of Health. She indicated just a few moments ago that it was not the intention of the government to have included these people in the bill. Now she has just told us

that originally they were not in the bill. Then the minister, I guess, somewhat inadvertently put them in the bill and now wants to take them back out of the bill. This is all a very convoluted way of arriving at the same point in time.

I just cannot let this section or this proposed amendment go by without a comment about what I guess has been referred to as the free trade component of the Independent Health Facilities Act. I think the very fact that the government has waffled back and forth from management companies not being in the bill to putting them in the bill and now taking them out of the bill demonstrates to me its commitment with respect to the whole free trade issue. I think that it is somewhat of a farce. I just make that comment.

Hon Mr Elston: Another lonely voice in the wilderness, the product of the Tory blue box.

Mr Reville: I am trying to understand the intervention from the member for Bruce but I cannot.

The minister is correct, now that I have referred her back to the thin copy of the bill, the 24-page one, that clause 6(3)(c) was not then there. It certainly was there when the minister kindly provided a reprinted version after second reading and before the hearings. I will have to confess that my memory has been shown to be inadequate and that prior to the hearings beginning last summer that section was not there.

I should point out that the government's concern seemed to me to be misplaced. It may be misplaced because it is so far from clause 6(3)(c) to the beginning of the section that they may have forgotten that the operative clause is that preference shall be given to proposals which do this, that and the other thing.

What the government's amendment meant—clearly it had a sort of flash of wisdom when it moved it some time ago—was that preference would be given to independent health facilities whose management services were provided by “a Canadian citizen ordinarily resident in Canada... a permanent resident within the meaning of the Immigration Act (Canada)... a corporation controlled” by Canadian citizens.

I think that is a good kind of preference to have and I am surprised the minister would want to delete that preference at this stage. Having got her mind right on one occasion, why does she just not stay there.

The First Deputy Chair: Is it the pleasure of the House that the motion carry?

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

Section 6, as amended, agreed to.

1600

Section 7:

The First Deputy Chair: Section 7 is a very popular section. Everybody has amendments on that.

Mrs Caplan moves that section 7 of the bill be amended by adding thereto the following section:

“(8) Subsection (3) does not apply to allow a person to charge an insured person a fee, or accept from an insured person payment of a fee, for a service if, before this section comes into force,

“(a) there was a fee for the service set out in a column described in subsection (7); and

“(b) the regulation described in subsection (7) is amended so that a fee for the service is no longer payable under the regulation.

Hon Mrs Caplan: This is a technical amendment. It is our intention to ensure that there is continuity of service and that an alternative form of payment for the service is provided. This technical amendment prevents such a facility during the one-year grandfathering period from directly billing patients, which I think is very clear from the stated amendment.

Mr Reville: I will support this amendment.

Mr Eves: I also will support this amendment. It is my understanding that the clinics that are covered by subsection 7(7) have not and do not intend to direct-bill patients, so I would be very happy to support this amendment.

Motion agreed to.

The First Deputy Chair: Mr Reville moves that section 7 of the bill be amended by striking out subsection 7(1) and substituting the following in lieu thereof:

“(a) a person who operates an independent health facility on June 2, 1988; or

“(b) a person or an individual

“(i) who had taken significant steps towards the opening of an independent health facility by June 2, 1988, and

“(ii) who is operating an independent health facility on June 2, 1989, notwithstanding that the independent health facility may not have been operated under the same name or through the same entity throughout the period may, within one year after the date on which this section comes into force, submit a proposal for a licence to continue to operate the facility, as if the

minister had requested proposals under subsection 5(1).”

Mr Reville: This is an amendment that will be basically my third try at achieving a result I was not able to achieve by two previous amendments. It relates to the business of grandfathering, which is the transitional section of the bill. Section 7 is the transitional section and it is not an uncommon section to have in a bill such as this when you are changing from one status to another. You have to provide for those groups that are already operating and will have to operate in a new way.

It is also not uncommon that the transitional period begin on the day the bill is introduced for first reading. In that regard the minister has followed a time-honoured tradition and has indicated to anybody who wanted to know that from 2 June 1988 the world will operate differently, should this legislation carry, and that is kind of fair warning to everybody that this will happen.

It is just kind of tough luck if on 3 June 1988 you began what might be an independent health facility were the date different. Again, my intention is primarily directed towards two independent health facilities or health operations that I believe are independent health facilities. One is the Choice in Health Clinic operated currently by Dr Colodny, which began its operation after 2 June 1988, but towards the operation of which significant steps had been taken prior to the introduction of this bill.

Previously in committee I had tried to change the grandfathering date, on the one hand to the date of third reading, I believe, and on the other hand to some kind of specified date. Both of those interventions were unsuccessful and the government was able to partly justify its refusal to accept this approach by saying that such an approach would perhaps capture independent health facilities that no one would want to have captured by a change in that date.

I would submit to members that at the time we were talking about 20 known independent health facilities that were grandfathered and one known independent health facility that would not have been grandfathered and there was no evidence that anybody could lead to the contrary.

A further amendment, about which my friend in the third party will speak soon, has added practically the population of the world to this grandfathered clause. The number of independent health facilities has jumped from 20 to thousands; some people would say 1,800; others would say 1,801. Let's not quibble.

I think the other point that needs to be made in this connection is that given the concern expressed that all sorts of people would hurry to get into operation to get the benefit of my new grandfather date, they will hardly be able to do that now because of course the bill is going to have third reading almost before my hair gets any greyer, maybe even next week, although you never know.

Miss Roberts: It won't be soon enough.

Mr Reville: I agree very much with my friend from the great riding of Elgin that it could not possibly be soon enough for me that I get to vote against this bill on third reading. It has occupied far more of my time than I had originally assigned to it, which was around a millisecond. Those are my arguments.

I want to say that I think it would be unconscionable if the efforts of the government to encourage community-based health facilities and to get a handle on quality assurance in those facilities that operate outside of hospitals were to have the effect of closing down the Choice in Health Clinic. That would be an irony and an outrage. Those are my reasons.

Vote stacked.

1610

The First Deputy Chair: Mr Reville moves that section 7 of the bill be amended by adding the following clauses:

"(3a) A person described in subsection (3) who has received notice that the director proposes to not issue a licence to the person for an independent health facility and who has required a hearing by the board may, within 10 days of receiving the notice of the director's proposal, give the director notice requiring an assessment of the facility.

"(3b) If the director is given notice requiring an assessment,

"(a) the director shall give notice under subsection 27(3); and

"(b) the board shall not hold a hearing until the assessor has reported on the assessment and a copy of the report has been given to the person requiring the assessment."

Mr Reville: This is a process amendment, which I believe is required, because if subsection 7(7) were to carry, a large number of independent health facilities will be grandfathered, will have an opportunity to apply for a licence and will have a certain process which the operators thereof can follow, should they not be granted a licence.

This goes towards the eventuality that some operators—perhaps a few, perhaps none, or even only one—who have been performing their duties in a way that heretofore had not attracted any concern were to be told that they were not going to get a licence.

What I think is quite common in other kinds of quasi-judicial proceedings is that the person to whom something is not going to be granted has the right to know why that boon shall not be granted prior to the hearing to deal with the appeal of the denial of such granting.

If that sounded a bit convoluted, I think to simplify it, you are entitled to know where you went wrong or where you fell down before you have to go to court. It is like sharing pleadings and evidence and that sort of stuff.

This process has been recommended by men and women learned in the law; and whenever I get advice from men and women learned in the law, I certainly pay a heck of a lot of attention.

Hon Mrs Caplan: First of all, we do not believe this amendment is necessary. The information will be available both at the hearing and upon appeal through the due process provisions with or without this amendment. That is why we do not think it is necessary.

But I think it is important to note—and I will be very brief—that a licence may not be granted for a number of reasons which are part of the public interest criteria. The one that I think is most significant, and that is really the fundamental principle of this bill, is in the area of quality assurance. I think that is a very important consideration and that it is important to note that even where the licence is denied, for that reason there is still the right of the appeal process which is already in place in this bill; so there are significant rights of appeal contained in the legislation as it stands.

Mr Eves: I would support the amendment introduced this afternoon by my colleague the member for Riverdale. I think, as we will soon see in the next section of the bill, there are some deficiencies with respect to providing a successful or unsuccessful applicant for an independent health facility licence with written reasons why that individual, corporation or entity was refused to be granted a licence. I think these people are entitled to know that. I think they are entitled to know that in writing. I think it makes abundant sense.

I think it is only equitable and fair to the people who have made submissions to receive written reasons as to why the ministry or officials within the ministry have decided not to grant a licence. I

know there is an appeal process, but I think it is really incumbent for the sense of equity and fair play that such reasons be given in writing.

Hon Mrs Caplan: Let me restate that, in fact, that process is in place. It is standard practice where reasons are requested through the appeal process that those be provided. I want to assure the member that the provisions within the bill will ensure that that process and due process will achieve the intent that both members opposite have stated, and we do not believe this amendment is necessary to achieve that objective.

Mr Reville: Since everybody is having a second round, let me say that we certainly do not doubt the intentions of the minister in this regard. She says that the amendment is not necessary. She has not said that she disagrees with it. It would seem to me that to make absolutely sure that due process occurs, it is an awfully good idea to enshrine due process in legislation, which we are trying to do here.

Vote stacked.

The First Deputy Chair: Mr Eves moves that subsection 7(7) of the bill be struck out.

Mr Eves: Although the amendment I am proposing to section 7 is relatively short, my explanation will not be. This is really the crux of the reason why the bill was sent back to committee in the first place, as members know: to deal with subsection 7 of the bill, or the Reville amendment as it has now become known.

I must admit that initially in committee I supported the member's amendment, as did my colleague the member for London North (Mrs Cunningham). However, at that particular point in time we were asked to make a decision on relatively short notice. I think that is more than fair to say. We were led to believe, or believed, that the amendment had the support of the College of Physicians and Surgeons of Ontario, the Ontario Medical Association and the Ontario Hospital Association.

Upon hearing from those delegations, both inside and outside of the hearings which we had for four days on 30 and 31 October and 6 and 7 November when committee was reopened for public hearings on this particular subsection, I learned many things. I learned from the Ontario Hospital Association, for example, that its concerns were basically twofold. Their concerns were that they would not lose their T fees for procedures that were done within their facilities, that there should be some sort of planning for independent health facilities or clinics throughout the province and that they were subject to

more planning criteria, for lack of a better word, than perhaps independent clinics were.

When I talked to the College of Physicians and Surgeons of Ontario and when they appeared before the committee, I must say they were supportive of subsection 7(7). However, they sort of were and sort of did not want to be. As I recall, they put in a qualifier near the end of their submission to the committee that they were not passing any judgement on the financial implications of this proposed amendment. "Heaven forbid, we don't want to dirty our hands"—the college said in talking about fees—"we think that should be left for determination between the ministry and the individual physician or clinic." There was some concern there: "Perhaps it should be addressed, but far be it from us to make any constructive suggestion in that regard." I did not find that altogether helpful.

1620

The extended committee hearings for those four days were to hear from the people, as we have already been told, who were told not to come in the first place because they did not have to worry about the bill including them, but now were being included. "You have exactly four days to present your case," the government said. "We'll hear what you have to say, but don't confuse us with the facts, because our minds are already made up, and we are going to pass this bill and include you anyway." That is the impression I got from the hearings.

The Ontario Association of Radiologists was the first delegation on the second day, 31 October. They presented, I believe, in their brief an eight-point plan which they felt the government could accept. If the government's primary concern was some orderly and responsible quality assurance for independent clinics, this could be done outside of Bill 147; it did not have to be done inside Bill 147. Indeed, by the ministry's own admission, in writing and verbally, Bill 147 was never intended to include them in the first place; it was never intended to do what subsection 7(7) says it is now going to do. They felt, I think it is fair to say, a little bit betrayed by the process and by the minister.

Shortly after the delegation from the Ontario Association of Radiologists, I made the request of Dr MacMillan, the assistant deputy minister, whether the eight-point plan put forward by the radiologists' association could be done inside or outside Bill 147. He very honestly answered that in his opinion it could be done either way; it could be done either within Bill 147 or outside of Bill 147. That is the same information I am getting

from radiologists and professional people whom I have talked to concerning this amendment.

My concern about the amendment is that now we are trying to make all kinds of changes. We have already commented on all the amendments; there will be some 51 by the government alone, and some by both opposition parties as well by the end of the day here today. It is my concern that we are really trying to make a bill, which was not drafted to do a particular job, do a job that it was not drafted to do, if that makes any sense.

I have some real concerns about that. There are other ways of assuring quality control. I do not think anybody would be against quality control. We have heard delegations from the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, the Ontario Hospital Association and others, and they have all indicated, I think, that they are concerned about quality control and assurance.

I think if that is the government's objective—and I do not think it is a questionable one—surely it could be done just as well, and perhaps better, under the Health Disciplines Act. If that is what the government really wants to do, then why not change the Health Disciplines Act to do that? Why only capture some 1,800 radiology clinics when there are other physicians in the Ontario doing other procedures that will not be captured by Bill 147?

I can tell the government that it is probably going to be faced with a lawsuit or two by radiologists in the province or by the Ontario Medical Association or some other concerned physicians, because I think this legislation, if this amendment is accepted and it passes, is going to be very discriminatory.

We want quality control in the medical profession but only for some people in the medical profession. We do not care about others. There are some people, because they do not have the same technical code component, doing very similar diagnostic procedures as radiology clinics. For example, people who do echocardiograms, I believe, are one. Ophthalmologists, I believe, are another. They are not included or captured by Bill 147, yet they are doing almost exactly the same thing, generally speaking, in the practice of medicine, as radiology clinics are.

I have a real concern that we are treating one group of physicians in our society with one set of rules and that we are treating another group of physicians in our society with another set of rules. If the object of the exercise is to improve quality standards throughout the medical profession and peer review, then surely we should

come up with a mechanism and a system that governs the entire medical profession in Ontario and we should not just be picking on one group in society because they happen to bill a lot of money through their radiology clinics.

I went through the remarks made in committee by the member for Riverdale at the time he introduced the amendment. His comments are very interesting because they do not talk much, if at all, about quality control. They talk about how many dollars this is costing Ontario taxpayers. It is very interesting at the outset and in the introduction of Bill 147 in the Legislature for second reading, as a matter of fact, by the minister, there was no mention of cost containment or cost control. That was not the supposed concern or reason or rationale behind Bill 147. Nor was there any great mention of quality assurance in any aspect of the medical profession. That was not why the minister came in here, by her own words that are in Hansard, and introduced Bill 147.

The reason she introduced Bill 147 was to expand independent health facilities in Ontario, to encourage more community-based health facilities in the province. I do not think anybody in this Legislature has a problem with that principle. But I do have a problem with trying to make a piece of legislation work and apply to a group of people it was never intended to apply to, and I do have a problem of coming along with hindsight later on and trying to justify the reason we are amending the bill as being quality assurance or quality control when we know damned well it is not the reason; it is cost containment.

If that is the reason, why not just be forthright and honest about it, saying, "We think the radiology clinics are running rampant; some of them are abusing the process," and do something about it? If the minister is truly concerned about quality control, then she should be truly concerned about quality control by every single physician in the province and she should not just be including the 1,800 whom she is going to capture in Bill 147.

Maybe there has been some foot-dragging—I do not know; I am not privy to all the discussions and proceedings that go on between the ministry and the OMA and the college—but surely, having gone through these extra four days of hearings with respect to Bill 147 and the whole radiology thing, the minister would have to agree that the delegations that appeared before the committee representing the OMA, the OHA and the college were more than willing to sit down and devise a

plan in a co-operative consultative fashion with the minister that would perhaps fall short, according to some of those delegations, of inclusion in Bill 147.

For the life of me, I do not know why the minister would not listen to that. If these people are willing to voluntarily discuss with her a system that will be better and all-encompassing with respect to physicians and the standards of treatment they provide in the province, why would she not be interested in doing that?

I think this proposed section, subsection 7(7), has several problems. I think it does something that the bill never intended it to do in the first place. There is no doubt about that; from the ministry's point of view, we have that in writing. I really do not see how it is going to help a great deal if the true object of the exercise is to expand community-based health facilities. It definitely will help contain the cost of those facilities, and we know there has been some abuse by some of those facilities; but I think it is discriminatory in nature, and I do not think that any good piece of legislation should be. I think there is a better way of doing it and achieving the morale that you need in the health care system in the province today. I think there is a better way of doing it in a co-operative approach, as opposed to doing something that some members of the medical profession—I think it is fair to say—do not want done.

1630

I have a real problem with the section the way it stands now. I have also heard the minister say, and I would like her to put it on the record here today, on a couple of occasions that if what the radiologists or the radiology clinics are concerned about is a loss in fees, they can rest assured that there will be no financial loss as a result of the implementation of this bill.

She has also said, I believe—and if I am taking some comments out of context, I am sure the minister will correct me when she stands up in a few moments—that she has no intention of changing or implementing a regulation to change the T-code aspect without consulting the Ontario Medical Association, the College of Physicians and Surgeons of Ontario and the Ontario Hospital Association. But consulting is a little bit different than agreeing with the OMA, the Ontario College and the OHA. So I would ask her to clarify that on the record here this afternoon as well. I would ask her to make a commitment to those people that if subsection 7(7) goes through—in spite of my efforts to prevent it from going through this afternoon and next week—that she

will give them the assurance that not only will she consult with them, and not only will she negotiate with them, but also that she will not proceed until they agree with her and she agrees with them because I think that is a very fundamental aspect of the morale in our health care system.

When the president of the Ontario Medical Association appeared before our committee, she was quite upset and made the comment that in effect these codes that we have were negotiated; they are an agreed-upon, negotiated settlement. And now they perceive—and if they are wrong, please stand up and say so, Madam Minister—that the minister is attempting to change a negotiated settlement unilaterally through this subsection 7(7).

So I would really like to get some of those things on the record and clarified by the Minister of Health here this afternoon. I have also been approached—as I am sure all members of the committee have been at one time or another—in the hallways by members of the radiologists' association, and their final plea to me today was they had hoped that perhaps a month might be allowed to lapse where they could sit down and negotiate and talk further with the minister and Ministry of Health. If that proved not to be possible, and obviously it is not because we are proceeding with this this afternoon, that at the very least they would have a commitment from the minister that a committee would be set up representing everybody's interests in radiology clinics around the province of Ontario, and that committee would indeed decide how we were going to proceed.

The minister has, to be fair, indicated that she is prepared to do this in committee from time to time. There is another group of technicians, or technologists as I call them, in the radiology field, and they asked that they be included on that committee, and I just make that request publicly again to the minister here this afternoon.

I want to make it clear that I do not think that being the Minister of Health is an easy job. In fact, it is probably the most difficult job in the Legislature today in the province of Ontario. I also want to make it clear that I am not questioning the minister's motives or intentions with respect to Bill 147 or, indeed, with respect to subsection 7(7), but I do feel very strongly that we should have an equitable, well-thought-out piece of legislation.

If we are going to do something and if we are going to start talking about peer review and we are going to start talking about quality assurance

and standards in the medical profession, I think it is very important that we do this with the co-operation of the various groups representing the medical profession, not only the college which is very important, but also the Ontario Medical Association and others as well because I think it is only through that type of co-operation and consultative approach that we are going to be able to achieve the common purpose and the morale that we need in our health care system in the province of Ontario today to make it better and to achieve the goals that we all want to achieve, which are increased accessibility and quality health care for all Ontarians in the province today.

I think I have probably talked quite enough about the reasons why I am moving to strike out subsection 7(7). No doubt the minister does not agree with me, or at least has indicated on previous occasions that she does not. I understand the disagreement. I do not agree with it obviously but I understand her point of view but I would like her to respond here today to those few points that I have made because I think it is very important that the constituency out there understands where the Minister of Health is coming from.

The Acting Chair (Mrs LeBourdais): Does the minister have any further comments?

Hon Mrs Caplan: It is up to the critic of the opposition. I said I would yield to him if he wished to go first.

Mr Reville: I have some comments and I am sure that the minister will respond to the questions that the critic for the third party has put when it comes her time to speak. I would like to make a couple of remarks now because this was indeed my amendment which, as has been pointed out, was initially supported unanimously at committee although subsequent to that and very soon after, the third party indicated that it was having difficulty continuing to support the amendment.

I think it was very useful that the bill was referred back to committee so that we could hear from parties directly affected by this amendment. It was a useful learning experience for me and I am sure for other members of the committee.

A number of excellent briefs were put before the committee, not all of which had the same recommendations but, clearly, the common thread that was running through all the presentations was that health professionals who were involved in diagnosis and those who run hospitals and who are involved in the professional responsibilities in connection with health profes-

sions all share a concern that there be the highest possible quality of any procedures and that, in fact, health care resources are used as wisely as they can be used. There was no suggestion by anybody at the committee that it was not a desirable goal nor that it was not an achievable goal. There was, indeed, some considerable disagreement as to how that goal might be achieved.

I think it is important to state that although the amendment and the substance of the amendment was not contemplated when the bill was introduced in June 1988, certainly not by me, perhaps by no one else either, it was not a will-o'-the-wisp kind of amendment.

The matter of the empirically knowable growth in diagnostic services and payments therefore has been a matter that I have raised over the past number of years.

1640

Prior to the beginning of the hearings I requested information from the Ministry of Health and received from the executive director of OHIP a printout showing billings from the largest to the smallest. The range is significant. I think the smallest billing was \$4 and the largest billing was \$4 million. I think a little over 90 per cent of the top billings were in respect of numbers that relate to diagnostic radiology.

The information does not indicate anything more on its face than the numbers are high and the numbers are larger than they used to be, and the fact that one can plot on a graph if one is so inclined to, the percentage increase year to year and the percentage share of that type of billing that is held by particular grouping.

I think there are about a dozen diagnostic radiology facilities that account for around 20 per cent of all the billings, and then there are several hundred that account for the remaining 80 per cent. I think the conclusion one would draw from that is that there is some concentration of services, but it does not say anything except that it is a great deal of money and that it is a much larger amount of money than can be easily accounted for purely by demography.

It does not say very much about quality assurance, which clearly is a concept which we all need to learn more about, and perhaps it is coincidental that the Ministry of Health, the province of Ontario, sponsored an international conference on quality assurance last week. People expert in the field came from all over the world to Toronto to talk about their experience with quality assurance, their passion about quality assurance and their suggestions to Cana-

dians about the kind of quality assurance that we should have and might like to try and implement.

So that was an event that occurred just recently and I have sort of lost my thread here. I was trying to suggest that the question of diagnostic procedures had been on my mind certainly for some time and when the witnesses were before the committee, in public hearings, on Hansard, documented in their briefs, the Ontario Hospital Association made a special point in the middle of August—I think 16 August or so—that indicated their concern about that matter, and again reiterated that concern on the second round of hearings when they came back in November.

The matter was properly before the committee to the extent that it was a matter raised by witnesses at the committee. The experience that I have had since has been interesting. It took a few weeks before the stakeholders rose up, but I will have to congratulate them that since they rose up they have had a very concerted and effective lobby and have provided me with a good deal of information by mail, telephone and in person which I found useful. Their intervention at the committee was useful as well.

I think a number of briefs—particularly the brief of the Ontario Association of Radiologists and the brief from the radiology section of the Ontario Medical Association—were excellent briefs, and the issue was joined, it seemed to me, in a very responsible and credible way.

The OAR, the Ontario Association of Radiologists—that is the specialty most affected by the amendment—developed an eight-point plan which I take is a particularly valuable contribution to not only indicating a method by which we might attack our joint interests in quality and appropriate utilization, but also suggesting who the players should be and indicating that they, too, recognize that there are problems in the delivery of diagnostic services that must be addressed. The most concerning of those problems is the provision of diagnostic services at least in part by people who are not trained to provide those services.

There are some methods, and these points were raised frequently by radiologists and others, that there is legislation dealing with the use of diagnostic radiology, and there is the Healing Arts Radiation Protection Commission, and we have learned a number of things about not only radiology but other kinds of diagnostic imaging that were useful to know so that in some cases the atomic energy people are involved, as well. We also learned that everybody in the field, every professional in the field, is interested in quality

assurance and is interested in developing standards for peer review.

I think it was important, though, and this is what we learned from the College of Physicians and Surgeons of Ontario and others, that there is a world of difference between the peer review that they are accustomed to doing and the quality assessment that would be possible under the amendment that I moved. They provided us with a helpful comparative chart which showed the similarities and differences between peer review which currently involves about 400 of the 17,000-odd positions in a year. The essential difference, it seems to me, is that quality assurance will allow us all to take a look at the outcomes that are achieved by services that are delivered. It strikes me that unless you are measuring your outcomes and setting them against your health objectives and making adjustments when your outcomes are not meeting your health objectives, you are doing less for the health of your people than you should be.

It is probably because of the enormous numbers of dollars that we are dealing with here, but not entirely so, that ministries of health everywhere are changing from a previous habit of just being an insurer and just paying when the bill came to saying: "Let us get advice from the professionals. Let us plan. Let us measure. Let us set targets. Let us look at the best way to achieve the targets. Let's try and create a situation where the health status of people is improved by the expenditure that we make."

There is increasing evidence, I regret to say, that health expenditure is not equal to health status, and that fact is perhaps most dramatic in the United States, but it is not undramatic here in Canada either. I sat with some amazement when one of the diagnostic imagers, a respected professional and a person to whom respect is owed—there is no question about that—told the committee that Ontario has fewer magnetic resonance imagers than the city of Cairo. That is an empirical fact. Regrettably, the health status of the people who live in Cairo is far worse than that of the people who live in Ontario. The mere presence of a particular technological device or technology does not indicate that people's health will be improved thereby. What it indicates is that the people in Cairo who can afford to pay for magnetic resonance imaging, in fact, have a superior diagnostic tool at their service.

1650

Every year, thousands of people who are in Cairo die of hunger and thirst and pollution whether they have a lot of MRs or not. I think that

when you are thinking about these kinds of things, the Bay area has 50 times more MR imagers than we do. The Bay area is where if you are not moving along on the freeway at an adequate speed, someone takes a shot at you. I am not sure that the presence of 99 MRs really has made life relaxed and healthy in the Bay area.

I am using the device of hyperbole, but on the other hand I think it is true to say that you have to look at outcomes. You can indeed invest money in technology and it will go for nought if you are not also investing money in health promotion and disease prevention. What you will be able to do is identify that your people are sick, and you may be able to identify that your people are sick with illnesses that you can do nothing about, which is interesting to know about from an intellectual point of view but not particularly helpful for those for whom there is no cure.

These are not always questions of either/or either, and that makes it a little bit more difficult. I think we have to confront those challenges. I am not suggesting that we could not do with more of this or more of that or less of this and less of that. Those matters have to be decided through broad consultation with professionals, consumers, managers, epidemiologists, planners, economists and the people. It seems to me that it is our responsibility to try to achieve the best outcomes that we can. Having listened to all the debate around the amendment to section 7, I am more convinced than ever that the amendment is appropriate and that it will achieve and can achieve an important goal of healthy public policy, and that is quality assurance and outcome measurement and a utilization review that will inform and guide the kind of planning that we do for the future.

It is not necessary, I suppose, to go through the for and against on this matter. There is no question there is a significant number of people who are opposed to this amendment, people with a lot of letters after their names and people of status and learning and skill. There are also other piles of groups that support the amendment. Primarily, hospital administrators, the College of Physicians and Surgeons of Ontario, the Ontario Hospital Association and the teaching hospitals see some value in this, but we certainly do not make law on the basis of weighing the cards and letters on the one side versus the cards and letters on the other side.

It is not true, Mr Chair. If anybody tells you that, that is not the way it is done, and let's hope that it never is the way that it is done.

The minister has indicated on a number of occasions, both publicly and privately, that the implementation of this amendment will be with the counsel and advice of the key stakeholders, which would include the College of Physicians and Surgeons of Ontario, the Ontario Hospital Association, the Ontario Association of Radiologists, the appropriate sections of the Ontario Medical Association. I have left out probably somebody, but there is, I believe, every intention on the part of the government to ensure that this is implemented with the fullest possible consultation with those who are affected. That only makes sense, because it is a complicated matter.

There are smarter ways to do it than others, and I am sure the advice that the minister and the Ministry of Health will get on this matter will be useful and thoughtful. I hope that the months and weeks ahead, if this amendment is carried, the bill is passed and the implementation is undertaken, will in fact be a useful experience and a congenial experience for those who are involved.

I think those are the remarks that I need to make at this time. I thank members for their indulgence.

Hon Mrs Caplan: I intend to speak very briefly. I will try to contain my remarks to five minutes. I will undertake to the critic for the third party that I will review his comments in Hansard and during third reading of the bill will provide an appropriate response to all of the points that he raised. However, I would like to say that this is the first piece of legislation in Ontario which has a mandated, legislated requirement for proactive quality assurance programs in this province. That is very, very significant, and this bill is all about quality assurance.

Presently, outside of the hospital environment, there is no quality assurance program in place on a proactive basis. What we have heard is that there is some voluntary peer review program.

I would say that I am very pleased to hear that the critic for the third party is supportive of quality assurance programs, and I want him to know that I will be, hopefully, tabling in the spring the health professions legislative review, which will give us an opportunity to talk about a mandated quality assurance program to ensure continuing competency and maintenance of explicit standards of professional care. I am pleased to hear that that has his support and will look forward to the very important debate that we will have in this province at that time.

I want to point out that this bill, which I tabled some 18 months ago, has stated very clearly

principles and intent. I said over the course of the development and the legislative process that I would listen, that I would be open to suggestions, changes and amendments to ensure that we ended up with a bill that was as good as it could be to give legislative force to our intent, to expand community-based services, to respond to new, developing technologies and to make sure that the people of this province could have confidence that any procedure that they have in an independent health facility meets at least the same safety and quality standard which presently exists in hospitals.

Over the course of the legislative area through first reading, second reading, after committee, we did just that. I heard from the college of physicians and surgeons that it has as part of its mandate the public interest. I heard from them that they were concerned, as all members of the committee heard and the critics heard, about the activity in some diagnostic centres. They pointed out to me that, specifically, they were concerned about the fact that cardiac catheterizations, a procedure done normally in hospitals with the kind of quality assurance programs that are provided in hospitals, are taking place in the community in community-based facilities. They were concerned about that.

1700

The Ontario Hospital Association, in its brief to committee, also raised this issue. It was not only concerned about it because of the duplication of facilities, the lack of planning and the impact that this was having, in its view adversely, on the hospitals, but it also raised the issue about the lack of any kind of quality assurance, quality control outside the hospital environment.

Before the public hearings, we also heard from some members of the Ontario Medical Association. My colleague opposite did state one thing that I want to make sure is clear on the record. I never said to him that the Ontario Medical Association supported this amendment. I did say to him that there were doctors in the province who had come to me expressing concerns about what was going on today in an environment that did not have quality assurance, but I never suggested to him for a moment that the Ontario Medical Association supported this amendment or, in fact, any part of this bill. We know that regularly we have had representations from the Ontario Medical Association that it does not support this bill or any component of it. I think that is very clear and on the record. I just want to

make sure he knows that I in no way suggested that it did.

I accepted this amendment as proposed by the member for Riverdale because I believe it is in the public interest. I think it is significant that it has been supported by the College of Physicians and Surgeons of Ontario, the Ontario Hospital Association and many individual physicians.

I want to say that this is an example of the fact that the legislative process does work and that every member elected to this Legislature, regardless of whether he is in the government or the opposition parties, has an opportunity to make a significant contribution. There are some people who say: "You know, your legislative hearings don't really mean anything. Your process of debate and discussion in this House, you don't really listen, you don't really consult." In fact, I think this bill and the process it has had through the committee, through the hearings, through all of the legislative stages, show that the legislative process does work.

I want to say very briefly, and I hope to speak longer at third reading, that I make the commitment that I made at the committee, and that is that we will—in fact, I have already instructed ministry officials to implement what I am going to call an implementation advisory committee, to strike such a committee, which will include, at least, those representing the views of the Ontario Hospital Association, the college of physicians and surgeons, the district health councils of this province that have a mandate for recommendation on planning; to make sure that radiologists are represented on that advisory committee; to see that the Ontario Association of Medical Radiation Technologists has a representative on that committee and that the of Independent Diagnostic Facilities Association also has a representative.

I want to say that I believe that this implementation advisory committee will make a meaningful and important contribution as we develop the regulations and also as we assure the implementation of this bill. I want to say as well that there will be no interruption of payment and that anyone—I want to be clear—who is providing a needed quality-assured service will not be adversely economically impacted by this legislation.

I want to further say that I do not believe that this bill is in any way discriminatory, as any doctor who is charging a facility fee is included. I want to say as well, to follow up on the comments of my colleague the member for Riverdale, that we want to make sure that our resources are used

most effectively. I want to point out to all of the members in this House that diagnostic technology, which is affected by this legislation in this particular amendment, is actually costing the taxpayers of Ontario about \$1 million a day.

Members of the third party for reasons unknown to me have decided not to support this legislation. I say to them, because I think it is in the public interest—and I thought I had discussed that with the member opposite—is it not reasonable that we would want to have accountable distribution of such services in a quality-assured environment? That is the question. The reason I accepted this amendment is that I believe it is in the public interest.

I will close my remarks by quoting my colleague the Honourable Ray Frenette, who is the Minister of Health and Community Services for the province of New Brunswick. At the quality assurance and effectiveness in health care conference that my colleague referred to, Mr Frenette said that he had gone from the easiest job in government to the most difficult in a matter of five minutes when he went from being the Health critic to the Minister of Health and Community Services in the government of New Brunswick.

I will conclude my remarks on this amendment with that statement.

Mr Eves: Just a couple of brief comments, one in a lighter vein than the other. I will take the lighter-vein one first.

I do not know New Brunswick's experience, but I would say that I have had easier jobs than being the Health critic for the third party. I would not dispute the second part of that statement though. The minister probably does have the most difficult job in the Ontario Legislature, although I am sure the Treasurer (Mr R. F. Nixon) and some others would not agree with me.

This may be an honest disagreement, but I do want to make it very clear on the record, as the minister has indicated on the record that she never said to me that the OMA supported this amendment, that I beg to differ. Outside the committee, the minister talked to me about this amendment, which was dropped on me that morning by the member for Riverdale.

She indicated to me, from my recollection of the conversation, that she had talked to the College of Physicians and Surgeons of Ontario, the Ontario Medical Association, the Ontario Hospital Association, and there was no problem with this amendment. If I was wrong in concluding from that that she had the support of the OMA, then so be it, but she wanted her

statement on the record and I am putting mine on the record.

Vote stacked.

Section 8:

The First Deputy Chair: Mr Eves moves that subsection 8(1) of the bill be struck out and the following substituted therefor:

"8(1) Where the director proposes to issue a licence under subsection 6(1) or to refuse to issue a licence to any person, the director shall serve notice of the proposed action, together with written reasons therefor, on every person who submitted a proposal for a licence."

Mr Eves: This is an amendment that was deliberated at some length in committee and was supported by my colleague the member for Riverdale and others in the committee, at least other opposition members. Basically, what it does is that it requires the director to give written reasons to every person who submits a proposal as to why the decision that was reached by the director was reached, or perhaps why the proposal was not favourably received.

I think it is relatively important that these people receive a written explanation of why they were turned down. I believe the reason given by the ministry at the committee stage was that this would be too onerous a task to place on the ministry. I do not believe it would be. I do not know how rapidly the ministry plans to expand or call for proposals under Bill 147, if and when the bill becomes law, but its initial indication was, as I said, that it hoped to add five or six independent health facilities a year. I do not think it would be too onerous a task, if that is the case, to ask that the ministry be accountable for decisions that it reaches.

I think that should be automatic, without an individual having to request reasons. I think if any individual is going to be able to launch a proper appeal from whatever decision is made or whoever makes it, it is incumbent upon the government to provide him, out of a sense of fairness if nothing else, with written reasons at the outset. So that is the reason. I am not going to belabour it any more. We have talked about it in committee before, and that is the reason for this amendment.

1710

Miss Martel: My colleague the member for Riverdale has had to step out for the moment, so I will substitute as best I can in his place.

We agree with the amendment that has been moved by the member for Parry Sound. Let me just say a couple of things very briefly. It seems

to me that when a particular agency, facility, etc., spends a great amount of time and effort and energy to put together a proposal to submit to the ministry in order to be licensed, it then becomes incumbent upon the ministry to respond to that, either the reason for accepting that facility or the reason against. If someone goes to that much trouble to put together a proposal, it is just common courtesy and common decency, in my opinion, at least to make the licensee or the person who wants the licence aware of the reasons why either the ministry cannot support or the director cannot support that particular proposition.

If, as my colleague from Parry Sound has said, the ministry replied during committee that in fact this would be too onerous a task, I would have to say that during the course of the selection process itself, surely those reasons why a particular facility was not going to be granted a licence would come about. It would not seem to me to be that difficult a task then to put those reasons in writing and merely send them off to the particular group or agency wanting the licence in order to make it aware. Certainly, if they are going to appeal that particular decision, they deserve to have the ministry's response on file in order to know how to defend themselves and put forward alternative proposals or reasons why they feel the ministry's position or the director's position is wrong.

I think, just on the basis of common courtesy alone and the fact that I do not believe it is going to be as onerous a task as the ministry would like to make of it, that this amendment should be supported, and in fact we will be supporting it.

Hon Mrs Caplan: It was debated in committee. We believe that there is due process, that simply by a request the answers will be given. This would require three additional bureaucrats in the ministry and if we do not get those requests, we really do not feel it should be mandated, this kind of response, which would likely be a form letter. I would say that this was fully debated and I am satisfied that there is not only due process, but the opportunity to just simply respond on request.

Vote stacked.

Section 9:

The First Deputy Chair: Mr Eves moves that subsection 9(5) of the bill be struck out.

Mr Eves: This amendment has to do with the appeal process. It is our feeling that all decisions should be appealable and they should not only all be appealable but all be appealable to the

Divisional Court in the ultimate analysis. We feel that the act should be consistent throughout and that any decision that is appealed under any section in the act should go through the same appeal process and that is, I believe, to a board and then ultimately to Divisional Court, if need be. That is the rationale behind the amendment.

Mr Reville: I think the process that is suggested by the critic for the third party is eminently sensible and I will support the amendment.

Hon Mrs Caplan: It was fully debated at committee. I would refer you to Hansard, Mr Chairman. We will not be supporting it.

Vote stacked.

Section 10 agreed to.

Section 11:

Hon Mrs Caplan: Could I ask if I could read all the ones for section 11 together since they all flow one from the other, or do you want them individually?

The First Deputy Chair: It is at the pleasure of the House. My personal preference is to have one thing on the floor at a time.

Hon Mrs Caplan moves that clause 11(2)(b) of the bill be amended by inserting after "fee" in the fourth line "and an amount not exceeding the maximum allowable consideration."

Hon Mrs Caplan: These all flow from the amendment to section 1. They are technical to give force to that amendment.

Mr Reville: I will not be supporting any of the amendments to section 11, of which there are a number, and there are some corollary amendments that relate to this matter. When the bill was originally tabled in the House, both at first reading and second reading and then the reprinted copy to show the multitude of government amendments, it had a simple section 11 that said that a licence shall not be transferable.

During the course of the hearings, the member for the third party moved an amendment that was accepted by government that licences could be transferred with the consent of the director. Following that, a number of amendments that purported to ensure that licences would not be matters of sale were put into the bill. My argument at the time was that there were ways to create value for licences that, notwithstanding prohibition of selling licences, would in fact create a market for a licence for an independent health facility; and that we would see a kind of independent health facility licence commodity market develop because, of course, if you cannot run an independent health facility without a

licence, then the licence really does have a value, even though it would be prohibited under grievous penalty to actually put a number beside the fact of the licence.

My sense is that the 12 gross of surgical gloves that were in the second drawer would all of a sudden have a value that would shock those who are used to buying 12 gross of surgical gloves. I am not offering anybody any hints because that is probably the dumbest way to do it, and I do not recommend anybody try that because everybody knows how much a surgical glove costs.

Mr Philip: How much does a surgical glove cost?

Mr Reville: A surgical glove costs about 4.2 cents.

Mr Philip: Gosh, I didn't know that.

Mr Reville: A used surgical glove is even cheaper.

Mr Philip: What do you use a used surgical glove for?

Mr Reville: No, I am sorry. These interventions are out of order.

So although this amendment is in line with the way the bill has turned out and makes some sense in that connection, I feel so unalterably opposed to the principle involved here that I just cannot support the amendment.

1720

Mr Eves: I would just like to say that I think the amendment makes eminent sense now that we have a definition for "maximum allowable consideration" in the bill. I think it is a necessary technical amendment.

The First Deputy Chair: Is it the pleasure of the House that the motion carry?

All those in favour of will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Hon Mrs Caplan: I move that subsections 11(3) and (4) of the bill be struck out and the following substituted therefor:

"(3) No person shall, for the transfer of a licence, pay, transfer, accept or receive money or other consideration other than the prescribed fee and an amount not exceeding the maximum allowable consideration.

"(4) Every director of a corporation that transfers a licence shall take all reasonable care to ensure that, for the transfer of the licence, no money of other consideration other than the prescribed fee and an amount not exceeding the

maximum allowable consideration is paid, transferred, accepted or received."

The First Deputy Chair: I think you meant to say "no money or other consideration."

Hon Mrs Caplan: Yes, it is a misprint. I meant "or."

The First Deputy Chair: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Will we let this one carry?

Interjection.

The First Deputy Chair: I thought in a moment of joviality someone said he wanted to stack.

Mr Reville: No, do not stack.

Motion agreed to.

The First Deputy Chair: Mrs Caplan moves that section 11 of the bill be amended by adding thereto the following subsection:

"(5) In consenting to the transfer of a licence, the director may attach to the licence such limitations and conditions as the director considers necessary in the circumstances."

Hon Mrs Caplan: This is to ensure consistency and clarity, whether a licence is issued, renewed or transferred, the ability to ensure that appropriate limitations and conditions are applied.

Motion agreed to.

Mr Eves: I have just a brief comment. To be fair to the minister, I think the proposed amendment does make abundant sense. It does make the bill more consistent so I will be supporting it.

The First Deputy Chair: Perhaps that is the reason the House just carried it.

Section 11, as amended, agreed to.

Section 12 agreed to.

Section 13:

The First Deputy Chair: Mrs Caplan moves that subsection 13(2) of the bill be amended by adding at the end thereof "other than an amount not exceeding the portion of the maximum allowable consideration allocated to the shares as prescribed by the regulations."

Motion agreed to.

Section 13, as amended, agreed to.

Sections 14 and 15 agreed to.

Section 16:

The First Deputy Chair: Mrs Caplan moves that clause 16(1)(a) of the bill be amended by inserting after "licence" in the first line "without a corresponding transfer of the licence."

Mr Reville: Perhaps the minister would be prepared to describe whatever that might mean.

Hon Mrs Caplan: It is a technical amendment to ensure both consistency and clarity.

Mr Reville: With respect, consistency and clarity are two good things to have but I still do not understand what it means. We were talking about a change in the beneficial ownership of the licence, I think, and we are adding the words "without a corresponding transfer of the licence." Is the minister trying to deal with the situation in which somebody is buying into a partnership, corporation or consortium, or what?

Hon Mrs Caplan: I am pleased to give the member an explanation. When we accepted the amendment to permit transfers, this was inadvertently overlooked, to make sure all the sections of the act were consistent to accept that amendment. The bill currently prohibits a licensee from entering into a contract that changes his beneficial ownership and this housekeeping amendment permits that change.

Motion agreed to.

Section 16, as amended, agreed to.

Section 17 agreed to.

Section 18:

The First Deputy Chair: Mrs Caplan moves that clause 18(1)(f) of the bill be struck out and the following substituted therefor:

"(f) any person has, for the transfer of the licence, paid, transferred, accepted or received money or other consideration other than the prescribed fee and an amount not exceeding the maximum allowable consideration."

Mr Reville: I assume what has changed here is the addition of this new concept called "maximum allowable consideration." The jury is out somewhat on whether that is a great idea or not because that was the first set of amendments, but it does appear to be consistent with that thrust and I am going to keep members in suspense as to what I am going to do about this.

The First Deputy Chair: Any other suspenseful notions this afternoon?

Motion agreed to.

Section 18, as amended, agreed to.

Section 19:

The First Deputy Chair: I have an indication, just because we were short of amendments, of some amendments to section 19.

Mr Eves: I overlooked an amendment to section 19, so that we could be consistent with respect to our approach to appeals throughout the entire act. I dealt with one in section 9 earlier and the government switched the section numbers on me when the bill was reprinted, so this is an amendment with respect to subsection 19(4), and subsequent ones follow out of this one.

The First Deputy Chair: Mr Eves moves that subsection 19(4) of the bill be struck out and the following substituted therefor:

"(4) The director shall deliver with the notice under subsection (3) a notice that the licensee is entitled to a hearing by the board if the licensee mails or delivers, within 15 days after the notice is served on the licensee, notice in writing requiring a hearing to the director and the board, and the licensee may so require such a hearing."

1730

Mr Eves: The reason for the amendment is basically the same reason I enunciated with respect to my amendment for subsection 9(5), and that is that we have the same appeal process consistent throughout the bill. They would be all be appealable, if I had my way, in the fairness of equity and consistency and fairness, to a board and then ultimately to Divisional Court. The way the bill was drafted, there were two exceptions to that rule and by these amendments I propose to make to sections 9 and 19, it would do away with those two exceptions to the rule with and it would be a consistent appeal process throughout the bill.

Hon Mrs Caplan: Very briefly, this amendment was debated fully at committee. I pointed out then that this approach is consistent with other pieces of health legislation, specifically those in the area of lab licensing and nursing homes. We will not be supporting this amendment now. We did not at committee either.

Mr Reville: The minister is right that we debated these matters fully at committee. It usually is difficult for four to beat six and so the description is adequate.

Mr Fulton: Not on the teams I play on.

Mr Reville: The member can appeal that, I understand, to the Toronto minor hockey league appeal tribunal and from thence to the Lieutenant Governor in Council.

There are actually some anomalies in this bill, a bill to which amendments have been moved for greater consistency all afternoon. You would think this would be another case where greater consistency would be desirable. We were provided, perhaps by the Ministry of Health, with a

number of situations and the appeal process therein. At least I remember a document. In many cases, the appeal is to the board and then to the Divisional Court. In this particular case, the appeal is to the Lieutenant Governor in Council and we are supposed to believe that the Lieutenant Governor in Council might well revoke the direction of the minister.

I can only imagine what the Lieutenant Governor in Council process is like because I have never been involved in it, but I do know that it is a private process and that it happens in a room with a big table and a stout door. It is a process that is not ventilated by the hot breath of the public eye. Now if members ever want a mixed metaphor, I invite them to use that. They can take it around with them, but they should not share it with their English teacher. She will be so disappointed in them.

Basically, the Lieutenant Governor in Council will revoke or not revoke the decision of the minister totally in private. I think it is wonderful to go off to Divisional Court, pay lawyers and whatnot and do this all in public, so I will support my colleague, who one might recall is a lawyer in his other life, to try to create a bit more work for them.

Vote stacked.

The First Deputy Chair: I have an indication from Mr Eves for a series of amendments now.

Hon Mrs Caplan: Dispense.

The First Deputy Chair: I think we have to let him put them on the record first and then—

Mr Eves: Mr Chairman, I can appreciate the minister's anxiousness to proceed with this piece of legislation after two-plus years, but I think we can hold out for another 26 minutes or whatever it is. I have a series of amendments that I would be pleased, in the interest of progress, to move all at once if you would so permit me, because they are all identical.

I move that subsection 19(5) of the bill be struck out.

The First Deputy Chair: Let's hold it right there. We have a motion by Mr Eves. Let me get it on the record for starters.

Mr Eves moves that subsection 19(5) of the bill be struck out. Any comments?

Vote stacked.

The First Deputy Chair: Mr Eves moves that subsection 19(6) of the bill be struck out. Comments?

Vote stacked.

The First Deputy Chair: Mr Eves moves that subsection 19(7) of the bill be struck out.

Mr Reville: I have some comments to make on this section.

The First Deputy Chair: That is why we read them out.

Mr Reville: Subsection 19(7), like 19(6) and 19(5), is a clear case of *mutatis mutandis*, and I will vote the same way as I did the other two times.

Mr Fulton: Could we have an interpretation?

The First Deputy Chair: No.

Mr Reville: Yes. It means having changed those things which have to be changed. It is Latin.

The First Deputy Chair: My Latin is slipping. Thank you.

Vote stacked.

Sections 20 and 21 agreed to.

Section 22:

The First Deputy Chair: Mr Eves moves that subsection 22(1) of the bill be struck out and the following substituted therefor:

"22(1) Any party to proceedings before the board may appeal from its decision or order to the Divisional Court on a question of law or fact or both."

Mr Eves: The reason for this amendment—and again it was discussed at some length in the committee process, so I will not belabour it here—is just to keep consistent with what we think the appeal process should be. We think that the appeal process should allow not only an appeal on the basis of a question of law but an appeal on the basis of a question of fact or indeed on a combined question, or more than one, of law and fact. That is the way that we think it would be most equitable and fair for appeals to take place under this piece of legislation.

Mr Reville: The Health Facilities Appeal Board, to which applicants must go with their appeal, will admit evidence that is hearsay. It is possible therefore that the Health Facilities Appeal Board would make a decision on the basis of incorrect fact that whatever has been before it is not subject to the stricter evidentiary tests that are applied in nonadministrative tribunals. That is why I agree with the critic for the third party that when you go to the Divisional Court, you should be able to address both questions of fact and of law so that in fact you get complete justice in this connection. Had he not moved it, I should have.

Vote stacked.

Sections 23 to 41, inclusive, agreed to.

Section 42:

The First Deputy Chair: Mrs Caplan moves that subsection 42(1) of the bill be amended by adding the following paragraphs:

“28A. prescribing the maximum allowable consideration in relation to a licence or prescribing a method for determining the maximum allowable consideration;

“28B. prescribing the allocation of the maximum allowable consideration in relation to a licence held by a corporation among the shares of the corporation or prescribing a method for determining the allocation.”

All those in favour will please say “aye.”

All those opposed will please say “nay.”

In my opinion the ayes have it.

Motion agreed to.

The First Deputy Chair: Mrs Caplan moves that paragraph 29 of subsection 42(1) of the bill be amended by striking out “28” in the second line and inserting in lieu thereof “28B.”

Any comments? Are we ready for the question?

Mr Reville: No. What does this mean? Is this for clarity?

Hon Mrs Caplan: This is for clarity. It is a highly technical amendment. Members can see that it changes 28 to 28B. It is self-explanatory. If members would like to talk about it for 10 minutes, I am sure that the member opposite could accommodate.

Mr Eves: I am going to talk about your last one.

Mr Reville: I went to school a very long time ago and so things may well have changed. It may be the new math, but when we had 26, 27 and 28, we did not say 26, 27, 28B, so I cannot possibly understand why the minister has to change that. Oh, I am looking at the wrong paragraph. That is probably why.

Hon Mrs Caplan: I refer the member to the amendment to subsection 42(1), which now has 28B. It is necessary, and the amendment that flows from that changes the need to have 28B acknowledged in the legislation.

Mr Reville: We could have saved the last hour if the minister had explained when she moved the previous amendment that moving that amendment would require an additional amendment that would change the alphabet, as it were, or the numerology, as it were. But the minister is quite right. I now understand that if she has added a 28A and a 28B, the next number would be 29. Or

it could be 28C, though, could it not? It is a little hard to know, but I think I will support this anyway.

Interjection.

The First Deputy Chair: We are here to help. Please.

Mr Eves: I could help the member for Riverdale here, I think. If the section after 29 was 30, then it could not be called 28C.

Motion agreed to.

The First Deputy Chair: Mrs Caplan moves that section 42 of the bill be amended by adding the following subsection:

“(3) In a regulation made under paragraph 28A or 28B the Lieutenant Governor in Council may delegate the determination of any matter to the minister or persons the minister may designate in writing.”

Hon Mrs Caplan: This amendment again flows out of the previous one and is consistent and needed for the purpose of clarity.

The First Deputy Chair: Discussion on the motion?

Mr Reville: Yes. I am looking at the clock, Mr Chair. We still have a bit of time, so that is why I have to intervene.

I do not know whether the effect of this is that paragraph 30 now follows paragraph 28A or 28B. Clearly, this is an amendment under the enabling section, which has 30-odd kinds of regulations that can be made. It appears that the minister can designate persons to do the regulations newly added by paragraphs 28A and 28B. This is a prescribing function that has to do with maximum allowable kinds of things. I wonder if the minister would indicate who such persons might be and if this kind of designating power is common in the enabling sections of the legislation.

Hon Mrs Caplan: What this amendment does, and in fact the member opposite is quite correct, is it allows for the designation of the appropriate ministry official, likely the director, so that discussions and negotiations, as appropriate, can be undertaken given the new provision in this act, which I am sure he will not support as he has not supported any of those provisions around maximum allowable consideration.

Mr Eves: I have some concern that a regulation-making power, normally done by the Lieutenant Governor in Council, is now going to be delegated to the minister or indeed to persons whom the minister may designate. I just want that on the record.

Hon Mrs Caplan: To clarify, it is not the regulation-making power but the ability through regulation to allow a ministry official to negotiate which I think is appropriate in this instance.

Motion agreed to.

The First Deputy Chair: I believe that is all the indication that I have of amendments to section 42.

Section 42, as amended, agreed to.

Section 43:

The First Deputy Chair: Mrs Caplan moves that section 43 of the bill be amended by adding thereto the following subsection:

"(3) Section 51 of the said act is amended by adding thereto the following subsection:

"(5) A regulation may prescribe an amount payable by the plan for an insured service rendered in a hospital that has been approved under the Public Hospitals Act without prescribing an amount payable if the service is rendered in a health facility operated by a person to whom subsection 7(7) of the Independent Health Facilities Act, 1989 applies."

Hon Mrs Caplan: This responds to the concern that was raised by the Ontario Hospital Association and by some hospital-based radiologists. The amendment does result from the concerns that were also addressed in the committee hearings as they related to the amendment to subsection 7(7) regarding the implication of grandfathering facilities billing T fees in respect to hospital diagnostic services.

This is a housekeeping amendment which clarifies the authority in the Health Insurance Act to treat hospitals differently from community radiology clinics, and allows hospitals to have a different method of funding or to apply for alternate payment to the ministry. This is merely a housekeeping and clarification amendment which should give some comfort to the Ontario Hospital Association, to the individual hospitals and to hospital-based radiologists that in fact there is no intention to impact adversely on hospital budgeting.

1750

Mr Reville: I will be supporting this amendment, clearly.

One of the matters that hospital administrators, the Ontario Hospital Association, the Ontario Council of Teaching Hospitals and the Hospital Council of Metropolitan Toronto were at pains to point out to the committee was that while they supported the intentions of the amendment, the so-called Reville amendment, they were concerned that the loss of the technical

fee would have an adverse impact on hospital revenue, and quite properly wanted to point that out to the committee. It is my belief that the amendment to section 43 will address the concerns that have been expressed to us adequately.

People may not be aware that the revenue from technical fees currently received by hospitals for services performed in this connection contribute towards the equipment and operation of their diagnostic centres. Were they to lose those fees, there would be in some cases, a very significant loss in revenue which would have to be made up in other ways. In fact, as an example, one teaching hospital indicated that if it were unable to bill for an equivalent to a technical fee, a shortfall of \$3 million would result, and that would have to be provided in an alternate funding arrangement to compensate for the loss of revenue. If it were not provided alternatively, then the hospital would have no choice but to reduce services by that dollar value, and that is not a position into which we would want to put hospitals in these troublesome times.

So I will support that. I think I will sit down now, because it seems a good time to support this.

Mr Eves: I am somewhat concerned about the amendment. I am not concerned about the amendment from the point of view—I do not want anybody to get me wrong, I do not want hospitals to lose revenue as a result of Bill 147. However, depending on what the ultimate effect is with respect to independent radiology clinics and their loss or nonloss of technical fees, this could be construed as being discriminatory by those independent clinics. I just want to get that on the record. Perhaps the minister can comment about it. I think I may end up voting against it verbally, depending on what the minister says at this point in the proceedings, only so I can have some time to think about it before the ultimate vote next Wednesday.

Hon Mrs Caplan: In fact, the intent of this amendment is to give the hospitals comfort. We acknowledge that they are different, that the way they function today is different from the way an independent health facility will likely function.

We were advised by legislative counsel, as I told the hospitals, that it was not the intent to adversely impact on their budgets. This gives us some clarity to give them that assurance. We were advised that we could give them that assurance without this amendment, but that this gives further clarity and acknowledges the fact that a hospital is a hospital and an independent

health facility is a community-based nonhospital facility which is, in fact, different. Rather than being at all discriminatory, what it does is to ensure that the hospitals will be treated fairly and that independent health facilities will be treated fairly, but differently. I think that clarifies it.

I would like, if I could, since this is my first opportunity, I have been advised by legal counsel that the statement I made regarding section 42 should be clarified as follows: That is, that the powers given to the director or to the ministry official will be to allow for negotiations, as I stated, for prescribing amounts which we will be evaluating following the negotiations about the transfer of one independent health facility to another individual. In so prescribing, technically that could be seen as actually exercising a regulatory power. That is a technicality and in fact the concern here is that I had said that it was not exercising a reg power. For the information of members, following that, that reg would then be reviewed and have to go through the appropriate cabinet committee and on to cabinet for approval, so that it should not give the members any discomfort as to the process.

Vote stacked.

Sections 44 and 45 agreed to.

The First Deputy Chair: I have a suggestion to make to the committee. It has occurred to us in our earlier discussions about how we might proceed, since there seems to be agreement that we would like to hold the votes at a later date, that with the concurrence of the House, we could simply rise and report at this stage. That would allow us then to call that order at any time that the House pleases and you could then have your divisions and we could complete things in that way.

On motion by Mr Phillips, the committee of the whole House reported progress on one bill and reported two bills without amendment.

BUSINESS OF THE HOUSE

Hon Mr Phillips: In the absence of the government House leader, I will be announcing the business for the following week which I understand has been agreed to by the House leaders.

Pursuant to standing order 53, next week's business is as follows:

Monday 20 November will be opposition day in the name of the member for Mississauga South (Mrs Marland) on the subject of the Rouge Valley, a vote on the opposition day motion to be at the conclusion of the debate.

Tuesday 21 November there will be opposition day in the name of the member for Nickel Belt (Mr Laughren) on the subject of the federal goods and services tax, with a vote on the opposition day motion at the conclusion of the debate.

Business for Wednesday 22 November and Thursday 23 November will be dealt with in the following order:

Immediately following routine proceedings on Wednesday, we will deal with the votes stacked from committee of the whole on Bill 147 today. At that point, we will seek agreement to proceed with the third reading of Bill 147. Following third reading of Bill 147 we will then proceed to third reading of Bills 18 and 20. The votes on third readings of Bills 147, 18 and 20 will be stacked and taken after third reading of Bill 20. With time permitting, we will proceed to second reading of Bill 71, second readings of Bills 39 and 40 and second reading of Bill 66.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
 Miclash, Frank (Kenora L)
 Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
 Morin-Strom, Karl E. (Sault Ste Marie NDP)
 Neumann, David E. (Brantford L)
 Nicholas, Cindy (Scarborough Centre L)
 Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
 Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
 O'Neill, Yvonne (Ottawa-Rideau L)
 Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
 Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
 Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
 Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)
 Pollock, Jim (Hastings-Peterborough PC)
 Polsinelli, Claudio (Yorkview L)
 Poole, Dianne (Eglinton L)
 Pope, Alan W. (Cochrane South PC)
 Pouliot, Gilles (Lake Nipigon NDP)
 Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
 Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
 Reycraft, Douglas R. (Middlesex L)
 Riddell, Jack (Huron L)
 Roberts, Marietta L. D. (Elgin L)
 Runciman, Robert W. (Leeds-Grenville PC)
 Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
 Smith, David W. (Lambton L)
 Smith, E. Joan (London South L)
 Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
 South, Larry (Frontenac-Addington L)
 Sterling, Norman W. (Carleton PC)
 Stoner, Norah (Durham West L)
 Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
 Tatham, Charlie (Oxford L)
 Velshi, Murad (Don Mills L)
 Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
 Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
 Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 34th Parliament
Monday 20 November 1989



Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 November 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

PRESSURE VESSELS

Mr Kormos: On 8 November, Mark Coons, the president of Coons Heating and Sheet Metal Ltd, sent a letter to the Minister of Consumer and Commercial Relations (Mr Sorbara) and it warrants reading some excerpts.

Mr Coons indicates that he uses "the services of inspectors from the pressure vessels safety branch of the Ministry of Consumer and Commercial Relations on an ongoing basis." Mr Coons tells the minister and myself he was advised by his industry association, the Mechanical Contractors Association of Ontario, that the ministry is proposing to privatize these services. Mr Coons wishes to clearly convey his objections to such a move.

Mr Coons writes to the minister that he is "in full concurrence with the position taken by" the association "which clearly notes that our industry is prepared to pay the cost of maintaining these services within the ministry and is firmly opposed to having private insurance companies and/or others provide the inspection and testing services currently under the responsibility of the pressure vessels safety branch." He notes that "direct conflicts of interest, lowering of product and safety standards and fluctuations in costs that would result from this transfer, far outweigh any advantage."

Mr Coons, the president of Coons Heating and Sheet Metal Ltd down in Welland knows, like thousands and millions of other people in Ontario do, that privatization is a bad way to go. He knows that what is wrong with it is that it results in substandard service, lack of accountability, waste and inefficiency, loss of jobs and increased tax burdens on communities.

Let's just hope the government listens to people like Mr Coons.

PLANT CLOSURE

Mrs Marland: It was with much concern and sadness that I received the news on 15 November that the St Lawrence Starch Co would be phasing

out its manufacturing operations in Mississauga. St Lawrence Starch is a private, family-owned company that has been at the heart of Port Credit since 1889, 100 years.

I know from discussions with the company's owners that it was an extremely difficult decision to close the plant. A circumstance beyond the company's control, and that is the countervailing duty on imported corn, has made it uncompetitive for St Lawrence Starch to manufacture in Canada.

The company will maintain its corporate offices in Mississauga and will change its focus from manufacturing to sales and distribution. The Port Credit plant will be used in the short run as a distribution facility until a new distribution centre is constructed.

I want the approximately 230 employees who will lose their jobs to know that, as their MPP, I will do everything possible to help them retrain and find new positions.

I have just written a letter to the Minister of Skills Development (Mr Conway) asking him to provide me with advice on what options are available under provincial government assistance programs such as Transitions, which provides older, unemployed workers with access to training. I will also co-ordinate my efforts with those of my counterpart in the federal government, Don Blenkarn, MP for Mississauga South. Finally, I want to offer my sincere condolences to both the workers who are losing their jobs and to the St Lawrence Starch Company which had to make this difficult decision.

SERVICES EN FRANÇAIS

FRENCH-LANGUAGE SERVICES

M. Grandmaitre : Cette fin de semaine était une occasion de réjouissance pour les francophones de la province de l'Ontario. En effet, on célébrait l'entrée en vigueur de la Loi sur les services en français, trois ans après avoir voté, dans cette même Chambre, son adoption à l'unanimité. Après le rassemblement de l'Association canadienne-française de l'Ontario, il y a eu le Grand Gala, la tournée de l'Association des centres culturels de l'Ontario et j'en passe; partout on célébrait. L'Ontario, par cette Loi, reconnaît le droit des francophones à des services

gouvernementaux dans leur langue, là où ils se trouvent en grand nombre.

En ces mois si cruciaux, alors que se jouera l'avenir de notre pays, je suis fier de notre province, qui respecte les droits de ses minorités francophones, non seulement en offrant des services en français mais en légiférant. Je rends hommage aux Franco-Ontariens et aux Franco-Ontariennes qui ont travaillé avec acharnement au développement des services en français. Je suis heureux d'être justement le député d'une de ces circonscriptions où les francophones sont nombreux et convaincus que chez nous, le français, on s'en sert.

This weekend, the rights established under the French Language Services Act came into effect. It was a weekend of celebrations. Thanks to the co-operation of everyone, Ontario takes pride in being the leader in francophone rights. May we all work together in harmony at improving these services to our francophone community in a true expression of the spirit of Canadianism.

PROPOSED HOSPITAL MERGER

Mr Reville: I have in my hand, as we often say in this place, a document that starts off by posing this question: "Did you know that Women's College Hospital has approved the establishment of a joint board of directors with the Toronto Hospitals (Toronto General Hospital and Toronto Western Hospital)?" Of course, the answer I would give is yes, I do know that, because over these many months my office and other offices of my colleagues have been receiving concerned calls from the many constituencies around the Women's College Hospital, a hospital which was designed for a particular purpose and which has in fact delivered on its promises to its constituency over many years.

The paper that I refer to is a flyer advertising a public meeting for Wednesday 22 November at which the key players will be asked to discuss the rationale and the details of this merger. Members would probably think that this meeting was being put on by the Ministry of Health, which is in charge of public hospitals in the province, but if members thought that they would be wrong, because this is a meeting put on by the local board of health and the city of Toronto, not by the Ministry of Health. I think it is shocking that the Ministry of Health has allowed these concerns to develop without taking charge, without giving us details and without publishing a review.

DEVELOPMENT CHARGES

Mr Harris: Developers, municipalities and housing officials have repeatedly identified

taxes, red tape, bureaucratic delays and the cost of servicing land as the main obstacles to affordable housing in Ontario today. It is difficult to understand, then, why this government insists on adding to each of these burdens with the imposition of a lot levy charge on new housing. There is no doubt this new Liberal tax will add significantly to the cost of housing in this province.

When I first exposed their plans earlier in the year, the Peterson Liberals admitted they had not conducted any impact studies. Industry estimates pegged the cost at \$5,000 to \$10,000. The assertion of the Premier (Mr Peterson) that builders might eat these costs indicated they had not even considered the implications. The legislation the Peterson Liberals will pass this week is even worse than originally proposed. Not only do they want to use development charges for schools, but now they want to expand the list to include everything from fire trucks to coffee machines.

1340

In the meantime, the Liberals have cut capital education funding from 75 to 60 per cent. They have frozen municipal payments. They have mandated all kinds of municipal and educational services without funding, so even with lot levies we are no further ahead. They are not impressed at Ricci's Corners.

It all adds up to a massive transfer of the financial burden for essential provincial services on to the backs of home owners. One new estimate is up to \$20,000 per lot; it could be higher. So much for the promise by the Premier to make housing more affordable.

VANIER CUP

Mrs E. J. Smith: It is with pleasure and pride that I rise today in order to congratulate the University of Western Ontario Mustangs for their spectacular Vanier Cup win in Toronto last Saturday. Before more than 30,000 spectators, many of whom were University of Western Ontario alumni or people visiting Toronto from London, they proudly won the 25th-anniversary cup of this big event.

Other Ontario teams, such as the team from Guelph, aspired to bring this honour to our province, but Saturday's decisive 35-to-10 victory proved that London's Mustangs were the appropriate people to do so.

Teddy Roosevelt once said that in life as well as in football, you should hit the line hard. The University of Western Ontario did and proved how well they could do it.

I am sure the House, including the member for Guelph (Mr Ferraro), joins me in congratulating the University of Western Ontario Mustangs and their coach, Larry Haylor, for their spectacular win.

SUICIDE RATE

Mr Hampton: Often we read of tragedies such as earthquakes, hurricanes or tornadoes happening in other countries and other places. They seem so far from home, but tragedies also happen in Ontario. Let me give members an example that happens in northern Ontario too often.

Within the last year, the northwestern Ontario community of Ignace has experienced suicide rates in epidemic proportions. Since 5 December last year, five young people have taken their lives and two have failed in attempts to take their lives. All of this comes from a community of only 2,000 people.

It is imperative that steps be taken to reverse this tragic trend. The Minister of Northern Development (Mr Fontaine) has instructed northern development councils to study the problems of youth in northern Ontario. I would suggest that maybe he should have the northern development councils look very carefully at the community of Ignace.

The Minister of Community and Social Services (Mr Beer) will say that a variety of support networks have been established in the north. However, it must be obvious that something is very seriously wrong when a community of this size has this rate of suicide.

People in the community of Ignace are asking for a crisis line to be established to help individuals in a state of despair. Concerned individuals want training in crisis intervention. I hope both ministers will listen.

DEER POPULATION

Mr Pollock: Last spring I presented the root and stalk of a dead apple tree to the then Minister of Natural Resources. The reason for this presentation was to make the minister aware of the damage being done to apple orchards by deer in Prince Edward county and across the province.

In areas where deer populations are excessive, deer not only feed on the buds and leaves, but bucks break the branches off of seedling apple trees with their horns. The cost of setting up a new apple orchard runs in the neighbourhood of \$10,000 an acre. Not only is there a problem with the seedling apple trees, but also there have been

numerous motor vehicle accidents involving deer.

I am pleased to know that my lobbying has achieved some results because there is going to be a controlled deer hunt in December in Prince Edward county. Let us hope this will bring the deer population into perspective.

There is a report of overpopulation of deer in the Peterborough crown game preserve as well. I believe that it is recommended by the ministry officials in Bancroft that there be a controlled hunt in that area also.

Let us hope the Minister of Natural Resources (Mrs McLeod) will look into this before the next hunting season and take the necessary steps to resolve these concerns.

FAMILIES AGAINST A TOXIC ENVIRONMENT

Miss Nicholas: FATE, Families Against a Toxic Environment, is a neighbourhood action group founded by two mothers in Scarborough Centre. Nancy Angevine-Sands and Karin Fox perceived a need to inform their friends and neighbours of the dangers of pesticide residue on fruits and vegetables in general, and in particular on apples, which our children consume in great volume.

When discovering that acceptable levels of pesticide residue on foods sold in Canada are based on adult consumption patterns and adult physiology, they became aware that they may be harming their own children by the very food they feed them due to the much larger volumes of fruit and vegetables that a child consumes in comparison to an adult.

Over the past six months, the group has grown and on 14 October, FATE held its first community awareness event. Many people attended. They raised \$1,200 and a substantial mailing list was created.

FATE wants to encourage local grocers to stock organic produce and to discourage chemical lawn spraying. In the long-term, they seek to have pesticide usage reduced.

FATE's actions already demonstrate that a small neighbourhood group can make a difference, that each and every one of us can do something to improve the environment. I congratulate them for their efforts and hope that they continue to be successful with their actions.

The Speaker: That completes the allotted time for members' statements.

STATEMENTS BY THE MINISTRY

DRUG ABUSE

Hon Mr Black: Illegal use of drugs in our province is a serious problem, one that defies

easy answers or quick solutions and one that cannot be solved in the short term or by government alone.

This is Drug Awareness Week, which started 19 November and continues to 26 November. This special week is dedicated to the issue of drug abuse and is an ideal time for me to announce Ontario's comprehensive anti-drug strategy to reduce the illegal use of drugs and to achieve healthy and safe communities.

Illegal use of drugs affects all ages, income brackets and neighbourhoods. The senseless waste of human life, the strain on individuals and families, the rising costs for health care and law enforcement, the reduced industrial efficiency and the escalation of related crime and violence in our neighbourhoods are just a few of the results of drug abuse.

The problem of drug abuse demands a comprehensive approach that builds upon the involvement and commitment of all sectors of the community. Everyone in Ontario—our teachers, our religious leaders, our police, our corporate leaders, our front-line health and social workers, our media and our youth—has a vital role to play if we are to have any impact and change the behaviour of Ontario society.

Today to reinforce this government's commitment to help communities rally collectively to reduce the illegal use of drugs, I am unveiling the first step of a community strategy, a community-based anti-drug strategy, to deal with the issues and reduce the problem where it originates and where it can best be handled.

Members will recall that in the speech from the throne in April of this year, the government announced a commitment to introduce a comprehensive anti-drug strategy involving three elements: the introduction of education and prevention programs, a wider range of treatment programs, and an expansion of Ontario's drug enforcement capacity.

Within this framework, there is a central underlying principle which forms the foundation of the government's anti-drug strategy. This fundamental principle is an emphasis on prevention achieved through education, counselling, and most importantly, the active involvement of all sectors of the local community.

Over the next two years, the government will spend \$9.2 million to work with communities to reduce the illegal use of drugs in three ways: first, by providing assistance with planning, operating and evaluating local solutions in several test sites; second, by providing grants to help organize and carry out community prevention

and promotion projects, and finally, by providing training and technical support.

The government will begin by joining with communities to identify several locations that are considered particularly vulnerable to the negative impacts of illegal drug use. These focused communities will be selected as pilot test projects to work in collaboration with the government to reduce the incidence and impact of drug abuse on the local front.

Once focused communities have been selected, the government will provide concentrated support to aid in organization and planning for action. Working together, local community members at the pilot test sites will help identify areas of vulnerability, evaluate existing support programs, and develop solutions that are reflective of the special needs and circumstances of each community.

1350

To support local solutions in these pilot sites, the government has allocated \$4.5 million over the next two years for the planning, operation and evaluation of local solutions through this innovative program. The ongoing funding needed to operate these projects will be approved on a community-by-community basis.

While these solutions will vary according to the distinct problems and personality of each community, emphasis will be given to primary prevention and early intervention programs, including community-based self-help support groups, street programs to reach high-risk youth and specific prevention education initiatives.

The second part of the \$9.2 million will establish the community grants program to help all communities work together to strengthen their capacity to address problems at the local level and to develop unique solutions. Beginning this January, a total of \$3 million has been allocated to support the community grants program. These onetime grants will be provided by the government for projects that demonstrate initiative and innovation and focus on prevention.

For communities that want additional planning and technical training to reduce the illegal use of drugs, the government has allocated a \$1.7-million two-year fund. Community coalition groups from across the province will have access to this support, primarily to train community groups to understand the issues of illegal drug use and to help them plan innovative activities to minimize the problem.

This three-faceted approach, combined with the evaluation of various community approaches, will help Ontario identify what does and what

does not work. This guidance is vital, since limited research exists and little evaluation has been done to help us maintain healthy communities.

To help ensure the success of these components, the government has established the Provincial Anti-Drug Secretariat. The secretariat will play a vital role in co-ordinating, strengthening and supporting our communities to address the problem of illegal drug use at all levels of community life. Equally important, it will co-ordinate interministerial initiatives, policy development, the allocation of resources and program evaluation.

In addition, the Ministry of Health under the leadership of my colleague the Minister of Health (Mrs Caplan) has developed guidelines for the funding and formation of community action groups. Community action groups will be grass-roots organizations composed of a variety of community members, which may include parents, youth, police officers, educators and health and social service providers. They will work to initiate drug awareness in education programs.

Over the next three years, \$1.2 million will be spent to support community action groups. These groups will be developed in co-operation with district health councils to plan and operate local prevention projects. Based on the recommendations from the health councils, the Ministry of Health will provide assistance for projects that encourage healthy lifestyles through parent education and public awareness and promote the nonuse of illicit drugs and the responsible use of legal substances. Grants of up to \$10,000 each will assist community action groups in planning and carrying out projects to address the prevention of addiction.

This government believes that drug education must be an important element in our strategy. Drug education addresses the urgent need to change public attitudes about drugs and to present alternatives by promoting healthy lifestyles. My colleague the Minister of Education (Mr Conway) will elaborate on the role education continues to play through activities aimed at increasing knowledge, changing attitudes and supporting positive behaviour.

Treatment and rehabilitation are also important to our strategy. Working together with our communities, we will continue to promote and support a wide range of comprehensive intervention, counselling and treatment programs for residents by building on our existing systems. This support is necessary to help individuals and

families reduce the physical and social impact of illegal drug use and prevent its recurrence.

One area where such programs are particularly important is the workplace. Some employers have established employee assistance programs to deal with drug abuse and other personal problems. Today, I am announcing an allocation of \$85,000 to support an advisory group comprised of representatives from the labour and management communities to examine what is being done and to find creative ways to fill the gaps. The advisory groups will report back to my colleague the Minister of Labour (Mr Phillips) during the winter of 1990.

The community action groups and the workplace advisory committee are just two examples of the new partnerships that are being forged to successfully address the serious problems of illegal drug use. The government cannot and should not operate in isolation. The solution lies in a partnership, the collective efforts of government, other key stakeholders and communities across the province.

In order for us to keep our streets and schools safe from illegal drugs, we must continue to ensure sound and effective law enforcement practices. My colleague the Solicitor General (Mr Offer) will be providing more details on how we intend to strengthen our existing drug enforcement program.

The strategy I am introducing today represents the first of many steps to be taken as part of the government's overall commitment of \$37 million to reduce illegal use of drugs in Ontario. Over the next few months, we will continue to build on what we learn. The strategy's emphasis on the promotion of healthy living is another reflection of the vision of the Premier's Council on Health Strategy. I believe this strategy will contribute to the achievement of healthy lifestyles, quality health care and safe and secure communities.

The success of our strategy is dependent on time, public awareness and the concerted efforts of every person in Ontario. Together we can harness and mobilize our energies to give new vitality to the struggle against the illegal use of drugs. There is much work to be done. By working together and with the leadership of this government, we can make significant progress towards realizing the goal of healthy communities by minimizing the illegal use of drugs in Ontario.

The strategy represents a first stage, a new beginning, that builds on our existing programs to protect the future of all Ontarians.

Hon Mr Offer: As my honourable colleague has emphasized in his statement to the House, the tragic problem of the illegal use of drugs is complex and multifaceted. It is a problem that threatens the social and economic wellbeing of our citizens and communities. It is a problem that presents major challenges to all of us.

Furthermore, the problem is one that demands action on several fronts. As the member for Muskoka-Georgian Bay, the minister responsible for the provincial anti-drug strategy has clearly stated, any effective long-term strategy must include initiatives that will drastically reduce the demand for illegal substances. This is the ultimate objective of all members of this government. The member for Muskoka-Georgian Bay has already informed you of some of the initiatives that will be taken by other ministries to reduce demand.

Let me assure members of the House that my ministry is also engaged in efforts to reduce demand through drug awareness and education.

The Ontario Provincial Police has assigned 139 officers to community relations. All of them provide drug education in the schools. Last year, our officers took this program to approximately 650 schools in Ontario. We anticipate that they will reach nearly 29,000 students by the end of this academic year.

In addition, we are taking steps to raise the level of drug awareness among police personnel. Last year, about 2,500 peace officers were enrolled in courses at the police college and another 166 OPP personnel took similar courses at the OPP academy. We will continue these efforts.

At the same time, we must be realistic and acknowledge that reducing the demand for drugs will not be achieved overnight. We must continue to commit resources to reducing the supply of illegal drugs as well as the serious level of other criminal activity that is associated with drug trafficking.

Recognizing the serious impact of illegal drug use, the OPP set up a special drug enforcement unit in 1973. The focus of this unit is to provide expert assistance in drug-related investigations to OPP detachments and to 119 municipal police forces throughout the province.

Today, I am pleased to announce the addition of 32 officers and four civilian support staff to the OPP. Fourteen of the new officers will be assigned to existing drug units, eight to the Toronto unit and two will be assigned to the units in London, Kingston, and North Bay. Another 18 officers will be assigned to new permanent

units. The new units will be located in Thunder Bay with an additional two permanent officers; Sault Ste Marie with four new officers; and Windsor and Ottawa, each with six new officers.

This expansion will allow the Ontario Provincial Police to intensify its drug enforcement efforts. It will mean an enhanced ability to stem the flow of illicit drugs into our province.

In summary, I believe this expansion will contribute greatly to the government's anti-drug strategy and maintain Ontario as a safe and secure place to live.

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Hon Mr Conway: I would like to join my colleagues the member for Muskoka-Georgian Bay and the Solicitor General in indicating and outlining the Ministry of Education's initiative in this important area.

The schools of Ontario have a crucial role to play in the province's anti-drug strategy. Drug education, which is now mandatory in grades 4 to 10, must help students acquire both knowledge about drugs and the values and skills they need to use this knowledge. I am pleased to announce today that school boards will also be required to offer drug education in grades 1 through 3, beginning no later than September 1991. The purpose of drug education in these grades will be to help children develop a basic understanding of healthy practices and healthy living.

Effective drug education, of course, requires more than a commitment to action by our schools. It also requires the building of local partnerships between these schools and the communities they serve, and the participation of parents, health and social service agencies and the police.

The Ministry of Education has therefore undertaken a number of initiatives to support and strengthen local action against drugs.

These initiatives complement the province's two-year \$5.2-million teacher training program for drug education. This program will provide teachers with the expertise and guidance required to respond to the sensitive issue of drug abuse. All school boards that establish ministry-approved teacher training plans for drug education will receive funding. Each school board's training plan will focus on preparing teachers and administrators to help students make the right choices about drugs.

The Ministry of Education has also strongly encouraged all school boards to develop a drug education policy at the local level. Earlier this year an advisory committee chaired by Karl Kinzinger, former director of education for the

North York Board of Education, was given the task of creating a policy framework to guide school boards in the development of such a policy.

The advisory committee includes representatives from teachers' organizations, trustees' and supervisory officers' organizations, home and school associations, the Addiction Research Foundation and the Ontario Provincial Police. It is expected this report will be made available to school boards by spring of next year.

The ministry is also helping educators access important information materials for drug education, which are being developed by concerned agencies and organizations across the province. The ministry will distribute the ARF Drug Education Resources Directory, prepared of course by the Addiction Research Foundation, to the public and separate schools of Ontario early in December. The directory lists films, videotapes, books, pamphlets and other printed material that may be used to teach students about drugs. It consists of six parts: resources for each of the primary, junior, intermediate and senior levels, films and videotapes for all grades and French-language resources for all grades.

In co-operation with another partner in drug education, the Ontario Federation of Student Athletic Associations, the ministry will distribute a pamphlet on performance enhancing drugs, such as steroids, to school boards in the new year.

In addition, the ministry is preparing a guide to teaching materials specifically for grades 4 through 6. It is expected this guide will be available in January of next year.

The Ministry of Education will continue to work with its partners in education to ensure that our young people approach the issue of drug abuse with a sense of personal and social responsibility. The measures I have outlined here will strengthen our common front against drugs and will encourage the local action that is the keystone of any effective anti-drug strategy.

RESPONSES

DRUG ABUSE

Mr Reville: I would like to respond to all three ministerial statements today on behalf of the New Democratic Party. I want to say at the outset that I am extremely disappointed that this is the best the Liberal government can come up with.

There is no question that in order to deal with illegal drug use you must have education programs, prevention programs, treatment programs and enforcement programs. Basically,

what we have here is not enough of any of those things and a lot of public relations. Basically, what is contemplated by the strategy outlined by the government's drug czar is a lot of local action committees which will do a good job, I think, of informing people who are unlikely to abuse drugs that there is a drug problem.

What is not clear at all and does not appear to be present in the strategy outlined by the government today is a realization that the treatment programs in Ontario and the network of services that deal with people who are addicted to drugs is woefully inadequate and, in spite of the efforts of those who work on the front lines, is a ramshackle hodgepodge of several hundred programs, many of which are chronically underfunded, many of which have to operate on less than \$30 per day per person and many of which the users will describe as absolutely inadequate.

At the end of the program when they are dried out, they go out and get some more drugs again because in fact nothing has been done to provide healthy alternatives for people in the province.

That is why we should have heard today from the Minister of Health (Mrs Caplan) as well and from the Minister of Community and Social Services (Mr Beer) about why it is people do drugs and sell drugs. A lot of that has to do with despair and poverty, and I suggest those important issues are skipped over in this report.

I congratulate the government on moving somewhat from the enforcement approach that is more common south of the border, where people are told to say no and are then arrested when they say yes, but we did not hear today from the Attorney General (Mr Scott), perhaps because he had nothing to say about what is missing on the enforcement side.

We have plenty of cops out there looking for drug offences and we have no judges to listen to the story about the accused persons. Every day, we see accused persons walking away, or as my colleague the member for Welland-Thorold (Mr Kormos) would put it more properly, driving away from the courthouse because the judicial system cannot react to the overcrowding it faces.

I have had an opportunity to speak with the alcohol and drug addiction workers of the province, who are in desperate need to be involved in the process that has been described today, and who are of course being ignored because that is the typical way to do these things.

I think the other thing that has to be recognized as a societal problem is that the biggest pushers of drugs in this province, across this country and in North America are physicians who write out

prescriptions. We wait and wait to hear what the Lowy commission has to say about the fact that it is accepted in our society to take a pill for what ails you. There are a lot of things that ail us and will continue to ail us as we try and find a government that will help us cope with the changes that are facing our society every day.

It has not been mentioned, and it has to be mentioned, that the most serious drug problem in the province, in Canada, in the United States, in the western world is alcohol. There is more lost time from work, more sickness and more death from the abuse of alcohol than from all the drugs combined.

Perhaps it is because we as legislators are accustomed to taking the odd drink after a tough meeting that we will not pinpoint alcohol as the real problem. It is much more attractive to go after some scurvy drug pusher stereotype we have created, when often that stereotype is a person who does not have another alternative and when often the user is a person who started off for a lark and got stuck some place where he sure as hell wishes he was not.

Until this government realizes all those facts, all this is just another mess of paper.

Mr Harris: I have a few things to say as well about all the statements that were made today.

For the amount of time this government has had, for the size of the problem and for the amount of information that has been made available to this government, the announcement today is an absolute embarrassment. It is embarrassing to this House and it is embarrassing to the people of this province when we think that the government has had this report for over a year and a half and has had the information, even without the report, for many years. This is the first time we have heard anything from this government by way of response.

We are talking about \$12 billion of drug profits in this province alone and we are talking, according to the Addiction Research Foundation, about social costs alone to Ontario of \$9 billion per year, and the minister is talking about a \$37-million program, maybe, over two, three or four years. A quick addition as I looked at his programs identified \$22 million, so I am assuming that \$15 million of the \$37 million is to set up this drug secretariat.

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I find it ironic, as with so many areas this government has been involved in, that the largest single ticket item, \$15 million, appears to be for the centrepiece of this program, to hire a whole whack of new civil servants for another layer of

bureaucracy, another secretariat. That seems to be the centrepiece of this whole program that the minister has announced today. The Metropolitan Toronto Police Force, in spite of the fact this government has sloughed courtroom security on to them, in spite of the additional costs this government has put on the municipality, on their own went ahead immediately and hired 97 new officers. The minister is talking about hiring some 30.

Second, the minister is not giving any support services to those officers. The Solicitor General (Mr Offer) will know that without the support services to go along with the officers, it is meaningless to put more officers out on the street.

As my colleague from the New Democratic Party has mentioned, there is nothing in the way of support for reducing the court backlog. Just recently, we recall, in Peel three were set free, three who were charged with drug offences, because they had not been able to be brought to court for over a two-year period. What is the point in charging more if the court system is going to whip them out faster than you can lay the charges and let them go free because of the lack of facilities from the Attorney General (Mr Scott)?

There is no money for the Ministry of Correctional Services. Can members imagine? We had correction officers on strike just within the last month because jails are overcrowded, their facilities are overcrowded because of the increase in the numbers of drug charges. Today we have no announcement, nothing for support for Correctional Services. We have nothing in the way of rehabilitation for those who have been through the system, who do not get set free, who actually get brought to justice and actually get sentenced.

Finally, not only is there nothing in the way of speeding up the court system, but there is nothing in the way of deterrent. There is little or no deterrent for the drug crimes, for those crimes associated with drugs. When you talk to the people who have been involved, talk to the counsellors, they know they have got two or three cracks before they ever have to go to jail. There is no deterrent to begin experimenting with drugs. There is no deterrent to rob the corner store to get the money to do it. We do not get to these young people nearly soon enough. The minister is not providing any of those resources that should be provided there.

This is a government that has no money to solve the real problems, and now, as in so many

other areas, we see the centrepiece of its program, a new bureaucracy, \$15 million for civil servants instead of putting the money where it will do some good.

The Speaker: That completes ministerial statements and responses.

ORAL QUESTIONS

GOVERNMENT'S RECORD

Mr B. Rae: In the absence of the Premier (Mr Peterson), I have a question for the Deputy Premier and the Treasurer of the province. The years since 1987 are beginning more and more to look like wasted years as we head now into what appears to be a time of much slower growth. Some economists are even talking about a recession. We have had much news in the last while of plant closures, of workers being laid off.

I wonder if the Treasurer can explain why in the years of expansion and prosperity which we have had since 1985, why since 1987, since the Liberals got the largest majority in Ontario history, we have had no action yet on pensions, we have had no action yet on plant closures, we have had no action yet on training and retraining, we have had no action on those critical areas which will allow workers to cope with the extraordinary change which everyone in this room knows are coming down the pipe.

Hon R. F. Nixon: It is true that in the last six years we have had real growth averaging six per cent, but we have to understand that is based on a very low level of growth back in the 1980-82 period of the decade. It is also true, as the honourable member was making an allusion to, that real growth now is expected to be about 2.8 per cent, although I see the Conference Board of Canada is projecting for Ontario 2.9 per cent the year we are presently in and expecting a reduction of growth next year to about two per cent. I do not think people should construe that as some sort of catastrophic projection. It is real growth and, to use the current parlance, we consider it sustainable.

Mr B. Rae: Like a cloud no larger than a man's hand, we just now have the figures in terms of automobile sales in the first 10 days and two weeks of November. We face 25 per cent less in this period than last year.

I can point the Treasurer to the signs in the American economy, the growing consensus among American economists that we are headed into times, we may even be headed into quarters in early 1990, where there is going to be actual

reduction in the level of economic activity. We are talking about a possible recession.

The question I have for the Treasurer, and he may disagree with those assessments or he may agree, but I can tell him, if you talk to workers in the furniture business who are losing their jobs—

The Speaker: And the question?

Mr B. Rae: —if you talk to the workers at St Lawrence Starch who are losing their jobs, they know what is happening out there.

I want to ask the Treasurer, why has this government taken no steps since 1987 in terms of the law on employment standards, the law on plant closures, on labour relations, on pensions, anything that would provide them with some protection—

The Speaker: Thank you.

Mr B. Rae: —as they head into this period of change? Nothing has happened at all.

Hon R. F. Nixon: The honourable member would certainly be aware that we are spending, on average, \$100 million a year to improve the competitive position of the workforce of this province, which must compete with other nations and other working groups around the world. Everyone who has any knowledge of this matter has come to the conclusion that the Premier's Council, which is directing this special expenditure, is doing good work on behalf of all of us who work in this province.

It is true that the rate of real growth is coming down, and it is coming down rather rapidly, and that I hear economists talking about whether or not we are going to have a soft landing. But frankly, I do not share the honourable member's dark view of the future. We feel in this province that our levels of unemployment right now are, if not at a historic low, as low as they have been in the last 15 years and lower than in any other jurisdiction. I would say that may not be good enough in the honourable member's view, but we have made very careful plans for seeing that our workforce remains competitive in the future.

Mr B. Rae: There is no greater optimist about life in general than I when it comes to looking at the future. But what I am asking the Treasurer is, how can he justify those wasted years since 1987? Any wise, prudent administration would have spent the time—the good years—in building the programs that will allow workers to go through times that are not going to be as good. If we believe what the Premier said about free trade and what would happen with free trade, the minister knows the impact it is going to have on workers. It has had it already at Inglis, it has had

it at Burlington Carpet, it has had it at Collingwood, it has had it at St Lawrence Starch—

The Speaker: The question?

Mr B. Rae: —and the companies add up every day. That is reality. That is the reality that is staring him in the face. Why has the Treasurer been wasting time since 1987? Why have the years since 1987 been wasted when it comes to building up those programs?

The Speaker: Order.

Hon R. F. Nixon: I do not feel that the time has been wasted and I believe that the thoughtful electorate in this province believes that it has not been wasted. We have in fact concentrated our efforts towards the improvement of our education system at all levels, at the very earliest levels and also at the post-secondary level. We have improved the infrastructure that makes this a competitive place in which world capital wants to locate. We feel that the record stands by itself. Far from being wasted years, we have experienced the greatest real growth in our economy of any time in our history.

Mr B. Rae: That is the point. That is when you do these things. That is when you plan these things.

Hon R. F. Nixon: Are we at a new question? Is this the coda?

Mr B. Rae: Yes, we are. Mr Speaker, I have a new question.

The Speaker: To which minister?

Mr B. Rae: For the same individual, Mr Speaker.

GOODS AND SERVICES TAX

Mr B. Rae: I want to try to get a handle on exactly what the Treasurer's position is on the sales tax, because I have tried for a couple of days here, and I want to keep on endeavouring, to explore the depths of the Treasurer's position on the goods and services tax. These are some headlines from the Toronto Star, which is a normally reliable journal with respect to the opinion of the Liberal Party.

On 15 January 1989, it says, "Ontario Likely to Roll Sales Tax into National Plan, Nixon Says." Here is the Toronto Star, 1 November 1988, "Nixon Admits Liking Tory Sales Tax Plan." Here is the Toronto Star for 27 May 1988, "Nixon Sees Merit in Wilson Plan to Introduce the National Sales Tax."

The Treasurer has talked a great deal about the desirability of amalgamating the two sales taxes, Ontario's sales tax and the projected GST. I wonder if the Treasurer can tell us what precisely is his position. Is he in favour of amalgamating the two plans eventually, one day, or is he opposed to the notion of there being an amalgamated, one-clobber tax for the Ontario consumer?

Hon R. F. Nixon: The honourable member knows that we are going to have a chance to review this in more detail at an early date because of the initiative of his budget critic, whom we could do without, but the discussion will be a very useful one. The honourable member knows the position of the government. We find the tax, in its present plan, unacceptable.

Mr B. Rae: That is not what I asked.

Mr D. S. Cooke: Nixon wants it lowered by one or two points.

Mr B. Rae: The Treasurer wants it lowered by a couple of points or some little fiddle here on the side or a little thing on this side. What is it?

My question for the Treasurer is this: He has stated this on a number of occasions, going back to 1988, going back to 1989 and again just last week in the Globe and Mail, in a headline from the Globe. Outside the House, when I asked a question on Wednesday on the sales tax, he came out and told the Globe and Mail that he was in favour of an amalgamated tax. Is he in favour of an amalgamated tax or is he opposed to an amalgamated tax?

Hon R. F. Nixon: Frankly, we have no consideration for amalgamating with any tax. We hope there will not be a new federal tax in the present form.

However, we are concerned at the level of the federal debt. The honourable member will know that, even though the projections from the last budget federally were for reductions in this debt, we now find, on the basis of most recent reports, that their deficit is going to go up. They have got to do something to set their house in order, the way frankly that we have here.

The honourable member, joined by the leader of the third party who has finally come in from lunch, has been indicating that we are spending too much money and they want us to reduce taxes, except that in their individual questions they are always urging us to spend more money and to pay for it some other way.

We have a pay-as-you-go policy. We have regularly reduced our deficit until it is now to the point that five days' revenue would pay it off. We

think that is very commendable and we expect the honourable member to commend it.

Mr B. Rae: Every taxpayer in Ontario knows what pay-as-you-go means. It means they pay and the government goes. That is what it means. So the minister should not play games.

I just want to remind the Treasurer of this little headline here. It says, "Nixon Sees GST, Sales Tax Amalgamation." This is not from 1988 or 1987; this is a headline from 16 November 1989, from the Globe and Mail.

I want to ask the Treasurer, because I think the people of Ontario are really getting a very mixed message, is he in favour of an amalgamated sales tax or does he predict that there will be an amalgamated sales tax? Precisely what is his position?

Hon R. F. Nixon: The precise position that has been enunciated by myself regularly and by the head of the government is that we find the federal goods and services tax unacceptable.

The Speaker: New question.

Mr B. Rae: You're answering a different question than the one I was asking.

Hon R. F. Nixon: How could you amalgamate with something that isn't here?

Mr Wildman: Hansard, get that, please.

Mr B. Rae: Make sure you get that. The Treasurer said, "How can you amalgamate with something that isn't there?"

Hon R. F. Nixon: Actually, if you didn't hear, the Treasurer said, "How can you amalgamate with something that isn't here?"

The Speaker: The first two questions have been completed. We will now go to the next question.

Mr Harris: I do not know if the Treasurer wants time to explain exactly where he does stand. The House would be glad to give it to him if he does.

DRUG ABUSE

Mr Harris: I have a question for the minister responsible for the drug strategy for Ontario. I wonder if the minister can tell us why Metro Toronto police could add 97 new officers in six months to combat drug use, yet it is going to take Ontario three years to add 32 police officers to the OPP to fight illegal drugs.

Hon Mr Black: I am not in a position to comment on the Metropolitan Toronto Police Force and the decisions made there. However, I can share with the member the view that has been shared with me by law enforcement officers from

across Ontario, and indeed from the United States as well, from agencies such as the Federal Bureau of Investigation and the Drug Enforcement Administration. All of them give me the same message, and that is that law enforcement alone is not the solution to this problem. Law enforcement alone is not the answer.

What we do need is a combined effort, of law enforcement combined with education prevention, combined with treatment and counselling programs to try and bring about an integrated approach. I know he may be disappointed in the number of police officers, and he and his party would undoubtedly like to see more, but we have to recognize that this is a view that is not commonly held by people who are expert in this field.

Mr Harris: Those who are expert in the field will be interested in that particular answer. The one part I do agree with is that it cannot be fought on that front alone. We just thought the minister might like to do more than drop a little drop of water into the bucket on that particular front. But since he says it needs a co-ordinated effort, by way of supplementary, I wonder if the minister could tell me why his announcement today is silent about three other aspects that the experts say is important.

One is the court backlog, which has seen suspected drug dealers freed because of the delay in seeing their cases come to court. Why is the minister silent on that, why is he silent on the overcrowding of the corrections system and why is he silent on the lack of drug rehab centres and programs here in Ontario while we are still spending millions to send Ontarians outside of this province and outside of this country for rehab?

Hon Mr Black: The member raises three good points, and I would like to address those three if I may. He perhaps did not hear me when I pointed out that the announcement we were making today was a first step and what we were announcing today was the first in a series of initiatives that this government will be taking. I would like to correct one thing that the member said in his response to my statement, and that is he suggested that \$15 million was being spent on the administration of the provincial anti-drug strategy. I want to correct that and to correct that very clearly. No such amount is being spent, nor is it contemplated. What we are doing is planning to respond with further initiatives, with further programs, and among the issues he raises will be some of the initiatives that will follow.

Mr Harris: Why is the minister silent on the court backlog? Not one cent there. Why is he silent on the overcrowding of the corrections system? Not one cent there. Why is he silent on drug rehab centres and programs in Ontario? Not one cent there.

By way of final supplementary, in addition to those I would ask the minister this: In view of the fact that the social cost for Ontario is estimated at \$9 billion per year, can he tell me why as a means of cost-avoidance of \$9 billion, this administration over the number of years is prepared to spend only \$10 million, or \$1 for every man, woman and child, according to his own estimates, to help us avoid \$9 billion a year in the social cost to this province?

Hon Mr Black: I can tell the member for Nipissing that money alone is not going to solve this problem. I can point out to him the example of our neighbours to the south. In 1972, the first war on drugs was declared by the President of the United States. In the 17-year period literally billions and billions of dollars have been spent in fighting the drug problem in the US. I tell the member, and I would like to help him understand this, that the problem in the US has not decreased one little bit during that 17-year period. Although he and his party always look to spending great quantities of money to solve problems, that is not our approach. We believe that we need to assist and to support the communities of this province, we need to address the problem, but money alone is not the answer.

The Speaker: New question.

Mr Harris: There's some \$160 million for the insurance industry, subsidized big insurance, and \$10 million to fight the war on drugs.

The Speaker: Your question is to the same minister?

DEVELOPMENT CHARGES

Mr Harris: To the Minister of Housing: The minister will be aware that on numerous occasions during the last session I asked his predecessor, the member for Oakwood (Ms Hošek), if she had done an impact study on the effect of the government's lot levy legislation on house prices. After considerable waffling, it became apparent that neither she nor anybody in the government had done a study, until we finally uncovered an internal report in May from David Goyette, special adviser to the Treasurer (Mr R. F. Nixon), who had done half a study and recommended against the imposition of the educational lot levy.

In light of the fact that Bill 20, An Act to provide for the Payment of Development Charges, is scheduled for third reading this week, I would like to ask the minister, as the new minister, has he, either as Minister of Housing or as Minister of Municipal Affairs, done any kind of a study to give us the impact of this bill on house prices here in the province of Ontario?

Hon Mr Sweeney: My honourable friend is well aware of the fact that the reference in Bill 20 to the education lot levy is an optional one. In other words, we are saying to the school boards of this province that despite the fact that the province has increased its annual capital budget for schools from roughly \$75 million to \$300 million, a quadrupling, it appears still not to be enough to meet the need and therefore this other option is available to school boards.

At the same time we have indicated to school boards that there are a number of other things they can do instead of extending the lot levy. They can work out arrangements with builders/developers to actually build a school and lease it back or to provide the cost of the land at a lower rate than would otherwise be the case. They can work out those kinds of arrangements.

Until we have some sense as to what the school boards are actually going to do, whether they are going to take the option, whether they are going to use builder leasebacks or whether they are going to get lower cost lands, it is extremely difficult for us to indicate or to determine what the impact would be.

Mr Harris: The minister says it is an option. It is no option for the school board when the number of portables has doubled. It is no option when the minister reduces his capital funding from 75 per cent to 60 per cent. Clearly, they do not have an option. They are going to have to raise the funds because he will not give the funds to them to build the schools they require.

I would ask the minister very simply, as difficult as it may be, given the fact that they do not have an option and that they are going to have to get the funds because they cannot get them from him, had he done any kind of an impact study before he proceeded with this legislation?

Hon Mr Sweeney: I would not agree with my honourable friend that it is not an option because we have received notice from a number of school boards that they do not plan to introduce the lot levy. They have said that very clearly to us and I gather they have said the same thing to my colleague the Minister of Education (Mr Conway).

They recognize two things. The first one is that the amount of money which is being allocated on an annual basis quadrupled from the time when the member was a member of a former cabinet. This is a clear understanding by the school boards of this province. The second thing they are looking at is the impact of new housing coming into their various areas.

I have to repeat what I said before: until we know what they are going to do and how they are going to react, it is not possible to do an impact study. We could do a mythical one. We could make all kinds of hypotheses, but until we know what people are going to do, when there is such a range of what their options are, we simply cannot make that study.

Clearly, I can indicate to the member, as I have said to my colleagues, that we in the Ministry of Housing are going to be—

The Speaker: Thank you. It seemed like a fairly lengthy answer.

Mr Harris: The only school boards that do not plan to are those that are not growth boards. The city of Toronto does not need to build new schools; we know that. Clearly, those that need to build new schools have no option under the legislation.

During clause-by-clause review the government amended the definition of capital cost to not just include new schools, but rolling stock, furniture, equipment and library books. Prior to this expansion the home builders had estimated that \$10,000 could be added to the price of a new home.

Now municipalities have the authority to impose levies to meet the cost of fire trucks, police cars, transit vehicles, heavy equipment, waste collection vehicles, desks, carpeting, computers—you name it.

In committee the Liberal majority opened this legislation so wide open that now we would like to know what the new impact will be if it was \$10,000 before, and maybe the minister could comment on York where they estimate it will now be as high as \$20,000 for every single family home that is going to be built there. Could the minister comment on their estimate since he will not do one of his own?

Hon Mr Sweeney: I am reasonably certain that my honourable friend is aware of the fact that prior to Bill 20—as a matter of fact, it is still not legislation in this province—there were no limits whatsoever on what a municipality could charge through its lot levy; it could charge anything—all of the things the member named, plus anything else it wanted to.

As a matter of fact, a number of municipalities were even putting levies on for hospital growth. The purpose of Bill 20 was to stabilize and regularize what in fact they could charge. As a result of Bill 20, the actual amount of lot levies is going to be lower than what it was before. It will not be higher; it will be lower. A clearer recognition of that is that some municipalities—two or three in the Ottawa area just in the past week or two—had increased their lot levies prior to Bill 20 being implemented because they knew that Bill 20 was going to restrict what they could raise, reduce what they could raise, and therefore make a greater positive impact on house prices, not a negative impact.

INTERVAL AND TRANSITION HOUSES

Mr Allen: I have a question to the Minister of Community and Social Services. In June 1988, the federal government announced under Project Haven \$40 million for victims of family abuse and violence against women. Of that amount, \$22 million was to be allocated to CMHC for construction of housing. Apparently, only 20 units have been built all across this country. A study has been commissioned nationally to ask why in fact that has been case, but the initial evidence appears to indicate that the provincial governments are not accessing the funding which requires also matching operating grants from the province. Why is there a delay in using money that is available when the need to provide shelter is so great in terms of shelters and staff support?

Hon Mr Beer: As my honourable colleague points out, the federal government has announced some funds that are available for the construction of shelters. When those funds were announced, both this government and a number of the major associations involved with shelters, including the Ontario Association of Interval and Transition Houses, with which a number of us met this morning, had said the key problem we faced in the province at that time was to stabilize the existing shelters. The amount of money which we were then and have been up to this point putting into the shelter program was towards stabilizing that system in terms of grants and moneys for salaries and the like.

We have said to the federal government that we would like it to consider looking at the funds it has made available not only in terms of capital but also in terms of operating costs. We are meeting with them and discussing projects that could come on line next year. At the present time, they have said their funding would be for capital only and the operating cost would have to

come from the province. It is our hope that we will be able to work out something for the next fiscal year.

Mr Allen: I just do not think that is good enough. The Ontario Association of Interval and Transition Houses has this morning been telling this government till it is quite literally blue in the face that there are incredible numbers of women who are suffering family abuse and violence, possibly reaching upwards of 300,000 to 500,000 in this province alone if they were all reported, that it is still true, as it has been for some years, that only one woman and child out of every two who try to get into such a shelter actually can find shelter, that in Metro, for example, the ratio is only one out of 10 that requests that actually gets there and when they cannot get there they go back into a family scenario situation which is described by the following statistic.

In Toronto, domestic violence accounted for 21 of the 60 murders in 1988. The urgent need clearly is for an immediate doubling of the shelters and the bed spaces available. There is simply no excuse for this province not providing the wherewithal itself, but what is incomprehensible is the real failure to access federal dollars to provide interval and transition house accommodation services and second-stage housing for every woman who needs it in this province.

The Speaker: I guess he is asking, "Do you agree?"

1440

Hon Mr Beer: I think it is important to underline that over the last several years the funding which the province has provided to shelters and to the whole issue of violence has gone up by 137 per cent. I think those working in the shelters do recognize that has been of significant support. There is no disagreement between those working in the shelters and ourselves that we would like to see the provision of some more shelter facilities.

By the same token, we also recognize that more funding has been going into counselling and into outreach. As my colleague the Minister without Portfolio responsible for women's issues (Mrs Wilson) has pointed out on several occasions during this month, we have, through an interministerial committee, been trying to address a number of issues that deal with this particular matter that go beyond the shelters themselves, so that it has to be a broad approach.

As I mentioned to the honourable member, we are talking specifically and directly with the federal government. We would like to see more

of those funds coming into Ontario, but we want to make sure that those capital funds will also have the operating dollars needed so that those shelters will continue more than one or two years.

CORRECTIONAL OFFICERS

Mr Cureatz: My question is to the Minister of Correctional Services. I want to remind the minister that on 26 October he indicated to this House that he had come up with a partial understanding with correctional officers concerning their walkout that had taken place for a few days prior to that day.

Would the minister be so kind as to now bring this House up to date in terms of the success or unsuccess of the negotiations that have taken place since 26 October?

Hon Mr Patten: I believe at this very time discussions are continuing to take place. To refresh the memory of the members of the House, they will recall that there was an agreement signed with the Ontario Public Service Employees Union and with our ministry to set up mechanisms—essentially meetings—with the various ministries that were concerned with the concerns of the correctional officers.

This has been done. All the meetings that we had identified to take place have taken place. Some of those meetings in fact have led to the scheduling of other meetings. I would not wish to be evasive, Mr Speaker, but at this particular point it would be somewhat premature to tell you the details of that, but my perception of it at the moment is that things are going fairly well.

Mr Cureatz: With the highest respect to the minister, his response only indicates to me that I do not think he really knows what is going on and what has been resolved.

It is my understanding that negotiations with regard to early retirement were held on 1 November. Meetings to deal with overcrowding, understaffing and pension were held on 2, 9 and 16 November.

Could the minister tell the House if he has any understanding or if he has been involved in terms of that issue that I had approached the previous minister with concerning what I had found in terms of my investigations at the Don Jail, which I feel very comfortable has taken place across our institutions across the province, and that is overcrowding, the heavy workload of staff and the working conditions?

I want to emphasize to the minister that I want something specific, if not today in the very near future, so that the correctional officers can feel

comfortable that this government will be allocating some resources to ensure that in the long run those problems that we have been after the minister for about a year will be—

The Speaker: Thank you.

Hon Mr Patten: I would like to say to the member that indeed, let me repeat, meetings are taking place at this very moment. There are meetings with my ministry. There are meetings with other ministries because other ministries have the responsibility for such things as some of the labour issues and some of the pension issues that are of concern.

In terms of the overcrowding, the member makes the statement that this is a province-wide issue. It is not a province-wide issue. I have clearly said that essentially it is around the Metropolitan Toronto area where we have a growth in charges and apprehensions that has placed enormous pressure on our system. We are addressing that within each institution. I expect to make some announcements in the near future on this. We have not yet completed some of those discussions and we also have some of our proposals in the cabinet committee process.

However, I am optimistic and I believe we will manage this situation for all concerned in terms of safety for the community as well as for a well-run institution.

LONG-TERM CARE

Mr Neumann: My question is for the Minister of Community and Social Services. An incident in our community sparked my interest in the regulation of retirement homes. A lady of the age of 88 wandered through a door in the middle of the night and was injured. In checking around, in trying to identify responsibility for regulation of retirement homes, I am finding I am getting quite confusing answers from different sources.

In our community, the municipality does have a bylaw, but I am wondering whether the minister could help clarify, from the perspective of his ministry, what he is doing in his ministry to help clarify the role in this issue.

Hon Mr Beer: As the honourable member has set it out, the only authority, if you like, at the present time with respect to those homes has been through certain municipal powers related to health and safety and fire. There have been problems—and different honourable members have brought these to our attention—with respect to a number of people in these facilities.

One of the things that I think we have identified as we have looked into these various problems that have arisen is that people may be in

a rest home or rooming house and are inappropriately there; they have a level of need or care which perhaps ought to be handled in some other fashion.

In terms of the long-term care study that we have been undertaking, which the Minister of Health (Mrs Caplan) and I will be reporting back to the House on in the near future, we believe that some of the initiatives we can take in that regard are going to ensure that those people who need certain levels of care will be in the appropriate facility where that care can be undertaken.

Mr Neumann: In investigating this issue, it seems to me I have come across a number of different agencies and ministries which have some relationship to this issue. Recently, locally, a subcommittee of the district health council recommended to the health council that it investigate the whole issue locally and the health council turned down the recommendation from its subcommittee. There seems to be a case of people wanting to walk away from the issue rather than coming to grips with it.

I am wondering if we can expect some leadership out of this ministry. What is happening in the government to try to identify, not necessarily to run these agencies, but to identify a clearer level of responsibility so that incidents such as the one that happened in Brantford can be prevented in the future and citizens can be assured of good quality service?

Hon Mr Beer: I think the member has underlined a key element of the problem. I can say that my colleague the Minister without Portfolio responsible for senior citizens' affairs (Mr Morin) has been bringing together, both at the cabinet level and through an interministerial working group, a number of us to look specifically at that issue and to look at how we can go forward so that this kind of situation will not arise.

Clearly it is tied in with the broad area of long-term care in terms of how we look at our homes for the aged and nursing homes and simply with the increase in the number of elderly in our society. I think we recognize that we want to enable people to still have choice, seniors as well, in terms of where they will go and live but none the less to ensure that there is protection for them when they are in different kinds of settings. As the member says, whether that is going to be a municipal or provincial responsibility, these are things we are going to have to work out in the near future.

NURSING HOMES

Mr Reville: My question is for the Minister of Health. A lot of us celebrated on 1 July 1987

when we got the Nursing Homes Amendment Act. We thought that would make the situation a whole lot better. Yet what we see is that the situation has become worse. In fact, if members would look at the new strategy of the government of Ontario, it is called "compliance enforcement," and since 1987 the number of nursing homes charged for violations has dropped to zero.

Why is the nursing homes branch playing pat-a-cake with the nursing home industry?

Hon Mrs Caplan: I want to say to my critic opposite that in fact when I arrived at the ministry, I was informed that in 1986 a report had been undertaken that recommended some significant changes in the approach to the regulation of nursing homes. I also had the new Nursing Homes Act. My priority always being to improve the quality of care and to focus on people, I then said, "What would be the very best approach to make sure that we had a continuous improvement environment?" That report told us that the old adversarial approach of the former government was clearly not working.

I want to tell the member that while we still have a way to go to make improvements and there is much that can be done each day, we are making progress to make sure that we work co-operatively with all of those who have the same interest that we have, and that is to make sure that the people who are in our nursing homes are receiving better care, that they have a greater quality of life and in fact are treated with dignity.

1450

Mr Reville: One of the things that was very specific about the Nursing Homes Amendment Act was that we all, as taxpayers, had a right to see what happened to the \$400 million we gave each year to nursing homes, and in fact, very detailed requirements for financial disclosure were put into that legislation.

I did a research—Mr Speaker, you will find this hard to believe, but I did; mostly, it was looking for my own name in Hansard. I found my name appeared three times and the name of my colleague the member for Windsor-Riverside (Mr D. S. Cooke) appeared twice since June 1988 asking the minister, "Whatever has happened to these regulations regarding financial disclosure?" She said as recently as 29 June: "Well, you know, it's very complex, but we're reviewing it. They should be available soon."

What does the minister have to say now? This is the sixth time. We do not usually give her six chances.

Hon Mrs Caplan: In fact, this is not a partisan issue, and I believe we all have the same goal, which is to ensure that quality of care improves. I want to say to the member that in fact the regulations that he speaks of, I expect to see in force and passed through the cabinet process. Since they are now complete, we expect to have them in force by the end of this year, within six weeks.

FAMILY VIOLENCE

Mr Jackson: I have a question for the Solicitor General. The minister would be aware that the Metropolitan Toronto Police force investigated 3,179 cases of domestic disputes last year, but its own records indicate that the actual total number of calls that it received was 10 times greater. This statistic is quite unacceptable to the victims of domestic violence.

Since the minister has stood in the House today to articulate his government's policy priorities in the area of combating drug abuse with support for police funding and for police support, when is the minister going to be making similar statements about funding support and program support so that there are meaningful directives to the police forces in this province so that the victims of assault, whether it is domestic or otherwise—there should not be that distinction—can get the same kind of attention and support that the minister knows he is capable of giving them?

Hon Mr Offer: In response to the honourable member's question, I think it is important to indicate at the outset that police forces have been instructed to lay charges in all spousal assault occurrences where they believe that such reasonable and probable grounds do exist. I think it is important to also indicate that, as the Solicitor General, I am continuing the efforts in making certain that where such reasonable and probable grounds do exist, charges are in fact laid.

The third point which I want to make in this matter is that there has been a directive from the commissioner of the OPP and from the assistant deputy minister of policing services in my ministry stating that it is inappropriate in these circumstances to inquire of the victim whether charges should be laid.

Mr Jackson: The minister's directives are not working. He can enforce speeding tickets in this province, but he cannot do anything to change these statistics that are being demonstrated. For example, in 1988 and 1987, charges were laid in only 46 per cent of the reported cases for this form of assault. Last year—

Last year, there was an inquest into the shooting death of Constance Johnston by her estranged husband in front of an East York supermarket. During that inquest it was revealed that she had made approximately 20 phone calls to the police force for support, to inform them of what was going on in her life. In fact, over several months, there was no response at all from the police in this case, is what the inquest came to understand, yet there was a court order in this case, allegedly to protect the victim. Again, the police did not respond. Her calls were unheeded and she paid with her life.

The Speaker: Question?

Mr Jackson: My question is, again, what specific programs and funding, what priorities, is the minister prepared to put in place to ensure that police respond quickly and effectively to these desperate calls to help victims of abuse?

Hon Mr Offer: Let me reiterate that we have had procedures and we do have directives that state clearly and categorically that it is inappropriate to ask a victim whether he or she wants a charge laid against his or her spouse or partner. It is important to note that research has shown that when police do make charges, the likelihood of further abuse is reduced. This is a message that we have been and will continue to carry forward to all police forces in this province.

Mrs O'Neill: My question is for the Minister without Portfolio responsible for women's issues. The minister and many of her colleagues met with a large delegation from the Ontario Association of Interval and Transition Houses this morning. Many issues were raised by the delegates from right across this province. Would the minister please apprise the House of those issues which she believes she will be able to address during the immediate future or the near future?

Hon Mrs Wilson: There was a very positive meeting held this morning between members of the government and OAITH. I should acknowledge the importance of these people as the front-line workers in shelters which are providing accommodation and safety for women and their children who are abused in family situations.

The group this morning acknowledged that the government has made a very positive commitment towards eradicating violence, particularly wife assault. They also acknowledge that we have made excellent progress. They particularly mentioned the dollars that have gone towards

enhancing wages of front-line shelter workers through the stabilizing dollars to shelters.

They stressed the importance of the police laying charges where reasonable grounds to do so exist. In addition to the very direct instructions of the Solicitor General, I should also indicate that we have a training program for police officers and senior police management, as well as information sessions to the judiciary.

Second-stage housing was brought up today as well, and the government's commitment towards providing priority housing for women who have been abused in nonprofit and Ontario government housing units. The number of beds through the federal program has also been addressed.

The Speaker: Thank you.

Mrs O'Neill: The throne speech of April 1989 made a commitment to reduce violence against women and children. Would the minister please indicate to this House those items that she has been able to accomplish in implementing that promise of this government?

Hon Mrs Wilson: My ministry, the Ontario Women's Directorate, is chairing and co-ordinating activities of an interministerial steering committee consisting of 15 different ministries across government which have 23 different initiatives we are implementing to reduce and eradicate wife assault. We are in the fourth year of a five-year strategy. We are taking a three-pronged approach, first in the area of prevention and education, second in the area of enhanced criminalization, justice services, and third, in the area of shelter and counselling services.

This year, \$41 million of provincial government money will go towards wife assault prevention initiatives. This is a 20 per cent increase over the funds allocated last year and two and a half times the dollars that were spent just four years ago in this area.

There is a very strong throne speech commitment to eradicating wife assault. Broadly, 15 different ministries then are working together toward that particular approach. We will be asking groups, such as OAITH, the front-line workers, to assist us with recommendations.

The Speaker: Thank you. That seems like a fairly comprehensive reply.

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LABOUR DISPUTE

Mr Mackenzie: To the Minister of Labour: On Friday 17 November, I had the privilege of joining a gutsy group of 16 women and five men

on the bitterly cold picket line of the Koolatron Corp plant in Brantford. I should, for the record, say they were joined also by a large number of their fellow workers in other plants in Brantford.

What I saw there was far from a reflection of Ontario the beautiful—men and women who are eager to work and are putting their health at risk by working with isocyanates, cellusolve solvent and methyl ethyl ketone are being rewarded by their employers with an hourly wage of \$5.88 an hour.

Is the Minister of Labour satisfied that this is a sufficient wage to allow the workers to enjoy the benefits of living in Ontario?

Hon Mr Phillips: I am aware of the situation, and certainly the member for Brantford (Mr Neumann) has kept me up to date with it. I can say that I understand that later this week mediation will once again begin. We have one of our senior mediators who is going to be involved in working with both parties. My hope is that the collective bargaining process will work here, that the two sides will reach a fair and equitable agreement. Certainly our ministry is doing what it can to help those two sides to reach that by the use of a senior mediator in this case.

Mr Mackenzie: Assuming that the Minister of Labour shares my vision of labour relations in the province, I would like to ask him why it has been necessary for the men and women at Koolatron to walk that picket line for the past nine weeks in an effort to assure a decent minimum wage in this province? Does the minister not recognize the connection between these starvation wages and the need, identified by so many, the Thomson report included, of substantially increased minimum wages in the province of Ontario? They are very little above the minimum wage, working with dangerous substances in that plant.

Hon Mr Phillips: I think we all share the vision of a fair and equitable workplace, one where individuals are not required to work in an unsafe environment, where they do get the just rewards for their efforts. Certainly in an earlier question, I think that some of the things we are looking at—the continued implementation of our pay equity bill, which as I say, is one of the most progressive bills in North America, the most progressive bill in North America in terms of helping to achieve fairness and equity in the workplace.

I think also Bill 208, which we will debate and which I recognize there are strong opinions on, will advance the cause of occupational health and safety. Those two things, among others, I hope, will make a substantial step forward and are

making a substantial step forward, both in occupational health and safety and in fairness to workers in the workplace.

ZEBRA MUSSELS

Mr Pollock: I have a question for the Minister of Natural Resources. I know the minister is aware of the zebra mussel problem that is in Lake St Clair and Lake Erie and also that we both agree there is no way we are going to keep these zebra mussels out of the whole Great Lakes system. I feel sure that these mussels are going to muscle their way in to our inland lake system. There is a conference coming up in Rochester on 28 and 29 November. Does the minister think that any elected officials should attend that conference on zebra mussels?

Hon Mrs McLeod: I do appreciate the efforts of the honourable member to keep us all very much aware of this very great problem. The specific conference that he refers to is a conference in Rochester which I understand is a conference sponsored by the New York sea grant, and it is one in which participants had been invited to attend to present papers.

One of the members of the staff of the Ministry of Natural Resources has in fact been asked to present a paper at that conference, but it is a highly technical conference and it is my understanding that it is not possible for that invitation to be extended to members of the Legislature. Certainly we can share with any interested members any information that we have from that particular conference.

Mr Pollock: Then the minister would keep the members of this House informed on what is going to take place in that particular conference. It is technical. No elected officials are going to be there at all. Is that a fact?

Hon Mrs McLeod: At this particular conference there would not be elected official present, to my understanding. Again, it would be a technical conference with the participants being those who have been invited to present technical papers, but certainly there will be other conference opportunities. As well, following through on the meeting that was attended by the honourable member opposite, as well as by a number of other interested members in the House, we will be continuing to discuss the question of zebra mussels and to provide any information which comes to us on the subject of how we can best control this problem.

COUNTY GOVERNMENT

Mr Tatham: My question is for the Minister of Municipal Affairs. Last year, a committee

went out around the province of Ontario and visited 26 counties to see the diversity of each county and to find out what we could do to strengthen these counties. We brought forth a report with 41 recommendations. I am wondering if the minister could tell us what progress has taken place between the counties and the government.

Hon Mr Sweeney: I want to congratulate my honourable colleague the member for Oxford for the leadership role that he took in this study, along with a number of his colleagues, and to point out to him that as the result of that activity, we now have five counties that are part of a review going on at the current time. There are five more that will be coming into a review situation, more than likely over the next five or six months. I must tell him that it had not been anticipated that they would react so quickly and so positively to be in a review, and I can only assume that the activities of the honourable member and his colleagues certainly stirred things up out there.

Mr Tatham: We have 10 and we have 16 left. How long will it take the minister to encourage the rest to take part? What time frame is the minister thinking of?

Hon Mr Sweeney: If the honourable member had asked me that question a year ago or even less, I would have told him we are probably looking at five or six, maybe seven years. But given the fact that there is such a heightened level of interest, I think it is going to be less than that.

The other point I would draw to his attention is that my ministry is currently responsible for putting together a proposal for cabinet to streamline the planning approvals process and to get provincial policy statements out there to get the upper-tier levels of government, whether they be regions or counties, to reflect those in their official plans. It seems reasonable to us that we want a strong county structure out there ready to pick up these proposals and to go with them and to be the agent of the society and of our growth out there. So, if anything, we will be encouraging them to move along more quickly than perhaps we would otherwise.

PROGRAM FOR OLDER WORKER ADJUSTMENT

Mr Farnan: To the Minister of Labour: It is my belief that the ministry has negotiated the betrayal of older workers in the province of Ontario. The program for older worker adjustment identifies textile, shoe and tanning employ-

ees as the beneficiaries of that program quite specifically.

Is it true that among the clarifying clauses now, if a community has a low unemployment rate, those workers will not be eligible? If this is the case, does this not eliminate all southern Ontario's older workers in these industries that have suffered major layoffs, and in fact for them, are there no benefits under this program?

Hon Mr Phillips: I am glad to reassure the member, because I can understand his concern. There are a number of guidelines that have been put in place for the program for older worker adjustment, POWA, as it is called, but they are guidelines only. Certainly we will look at each individual case.

For example, one of the guidelines was that it have a significant impact on the community that it is located in. Well, we were concerned that therefore would mean that in Metropolitan Toronto the program might not apply, and we were assured that it would. There are several guidelines, but I think that each case will be judged on its own merits and that it is not true that the program will not work in southwestern Ontario.

1510

As a matter of fact, some of the very first areas where we expect it to work will be, I think, in the case of the Massey situation in Brantford where we said to those workers that it will be one of the very first cases that will be looked at. So it does apply throughout the province, and certainly in southwestern Ontario, we would expect they will be some of the first communities that should benefit from the program.

Mr Farnan: I am talking to the minister now, specifically, about the textile and shoe workers in Cambridge. I am talking about the workers let go from Savage Shoes, from Artex Woollens Ltd, from Andrew McNiece. I could name a host of industries, older workers, many of whom speak English as a second language, many of them in their 50s and 60s.

Is the minister saying to this group of people that his ministry has negotiated a package with the federal government that under any circumstance these workers will be excluded because these workers will not be able to get another job, in all likelihood?

The reality of the matter is this, the vagueness of these clarifying clauses—

The Speaker: I listened.

Mr Farnan: I ask the minister—

The Speaker: I thought you did ask the minister.

Mr Farnan: I ask the minister, will he give an assurance to the workers in Cambridge in the textile and shoe industry that the workers are going to receive benefits under the program for older worker adjustment? Yes or no?

Hon Mr Phillips: As I said, each case is evaluated and I will assure the member that we will evaluate those cases, but there are several guidelines in POWA. Each case is looked at. As I mentioned before, we have instituted this program, we have recruited the staff, we are now moving forward.

Mr Farnan: You sold out the workers, that is what you have done. You have sold out the older workers.

Hon Mr Phillips: On the contrary, no one has been sold out. We have put in place the program that will recognize the genuine, very real needs of workers this member is talking about. Each case will be evaluated on its own merits and my hope is that we will be able to address the needs of older workers. As I said before, the Massey situation is the first and classic example.

ORILLIA SOLDIERS' MEMORIAL HOSPITAL

Mr McLean: My question is to the Minister of Health. Would the minister provide me with an update on the status of the Orillia Soldiers' Memorial Hospital, the redevelopment proposal that community has shown its supersupport for?

Hon Mrs Caplan: In fact, I am pleased the member raised this issue because it gives me a chance, once again, to talk about the recommendations of the Premier's Council on Health Strategy that have been very clear. What they said to us was that over the course of the last two years we have gathered much new information, that we should share that information with the community and we should make sure, as we are doing our planning, that we plan to meet the real and the changing needs of our communities not only for today but for the future as well.

We know that we are in times when we are seeing rapidly changing technology, when the demographics are changing and the economic reality that we have the best funded national health system in the world. In fact, Ontario has one of the highest per capita amounts of spending on health care of any of the other provinces in this country. I want the member to know that as we plan for the future, whether it is for capital or for operating expenditures, we are determined to do

the right thing in our communities and we are using this opportunity to make sure that we take that approach in our capital plans.

PETITIONS

ANIMALS FOR RESEARCH

Mr Wildman: I have a petition which is signed by approximately 1,000 residents of Ontario. These signatures were gathered at the Royal Winter Fair between 11 November and 14 November by Dr Kenneth Easton of Mississauga, a doctor of veterinary medicine. The petition requests that Bill 190 be passed in the Ontario Legislature without further delay. These 1,000 names raise the total to approximately 72,000 and my name is attached to the petition.

FRENCH-LANGUAGE SERVICES

Mrs E. J. Smith: I wish to present a petition on behalf of the member for Wentworth North (Mr Ward). The petition objects to the French Language Services Act in Ontario and represents the opinion of approximately 20 people, but not the opinion of myself, although I have signed it on their behalf.

ORDERS OF THE DAY

OPPOSITION DAY

ROUGE VALLEY

Mrs Marland moved opposition day motion 3:

That given the need to preserve green space in the greater Toronto area, given the unique character of the Rouge Valley, given the financial commitment of the federal government in support of the save the Rouge efforts, given the threat to the Rouge of the province's plans for highway construction, and given that approximately 90 per cent of the Rouge Valley lands are presently owned by the provincial government, this House is of the view that the provincial government should immediately take all steps to designate the Rouge Valley as a provincial park.

The Speaker: We have all heard the motion placed by the member for Mississauga South. I would remind members that the time will be allocated equally among the three parties and if the mover wishes to reserve any for the end, that will be included in that one third of the time.

Mrs Marland: Mr Speaker, of course this is an opposition day motion in my name, as environment spokesperson for the Progressive Conservative Party. However, as the Coalition of Scarborough Community Associations pointed out in a presentation to the Progressive Conservative caucus earlier this month, the preservation of

the Rouge Valley system should be a nonpartisan issue and should be the subject of decision, not of rhetoric. I agree with the coalition completely. It is my hope that the motion before us today will receive the support of all members and will result in the creation of the Rouge Provincial Park.

Indeed, all three parties in this House have expressed a desire to save the Rouge. As I will discuss in further detail later in my remarks, there is also near unanimous support from the municipal governments involved as well as a promise of \$10 million from the federal government to create a Rouge provincial park or ecological reserve.

Unfortunately, the Liberal government has failed to take the action the motion proposes, that is to immediately take all appropriate steps to designate the Rouge Valley as a provincial park. For despite the Liberal government's promises in this House to save the Rouge; despite the Liberals' support for a motion by my colleague the member for Markham (Mr Cousens), that an east Metro transportation strategy must respect the environment; despite a motion by the Ontario Liberal Party to urge the government of Ontario to set an example by preserving the Rouge Valley as a wildlife area; despite all these promises and statements of intention, the Liberal government has failed to come forward with a proposal to designate the Rouge Valley lands as a provincial park.

This is not only a debate about saving the treasure that is the Rouge Valley, it is also a debate about all talk and no action. It is about failing to put one's money where one's mouth is. The challenge I put to the government and the official opposition today is to demonstrate our joint commitment to the preservation of the Rouge Valley lands through unanimous support of this motion.

The Liberal government's excuse for stalling on the creation of a Rouge Valley park has been that it must determine which parts of the Rouge Valley system should be preserved. We in the Progressive Conservative Party have the answer to the government's question. It is the answer that has also been put forward by the many concerned citizens who have banded together in such groups as Save the Rouge Valley System and the Coalition of Scarborough Community Associations.

1520

On behalf of everyone who is fighting to save the Rouge, I will tell the Premier and his cabinet colleagues what lands should be included in the park. This definition of the Rouge Valley lands is

central to today's debate and it must be clear before we can address the main thrust and the preceding components of my motion.

Earlier today, during a joint press conference I held with representatives of the Save the Rouge Valley System and the Coalition of Scarborough Community Associations we displayed a map of the proposed park area. Of course, I would be happy to provide a copy of this map to any members who require one.

The park we have in mind is approximately 10,700 acres and represents one of the areas that the Rouge Valley system drains. Surely, Mr Speaker, asking for 12 per cent of the Rouge River system as a park is not asking too much, and yet is my understanding that one option the cabinet is considering is to create a much smaller park in the lower Rouge Valley which would be surrounded by development such as a highway, a dump site, and a state housing subdivision. Such a park simply would not do. As I will show, it would neither provide sufficient environmental protection nor preserve the uniqueness of the Rouge Valley system.

I want to stress that the area we propose for a Rouge provincial park includes not only the valley, but also many of the tablelands. Although we tend to use the words "Rouge Valley" to describe the whole area in question, we are including the tablelands as shown in the shaded area on our map.

There are important reasons for including these lands. First, we want to preserve an ecosystem. The proposed park is the only continuously vegetated ravine, tableland and marsh complex of its size in the Metropolitan Toronto area. Moreover, the tablelands that we propose including in the park contain eight environmentally sensitive areas, as well as 63 identified archeological sites.

Having defined the area in question, I will move on to the various components of my motion. First, I will address the need to preserve green space in the greater Toronto area. Nobody in this House can dispute this need. Just look around us. Housing and commercial developments are mushrooming. We are facing a garbage crisis which requires that we make room for new landfill sites in most regions of the greater Toronto area, and we are consuming land for traffic corridors. There can be no doubt that in the name of economic development we are losing more and more of what precious little green space is left. This erosion of our green space endangers the quality of life for all residents of our area and life itself for many other creatures.

In the case of the Rouge which has been eyed for all sorts of development that I have just mentioned, the time has come to say, "Enough is enough." The Rouge is Toronto's last significant tract of green space. It has been called its last green door. We must protect the Rouge's genetic diversity. We must provide the citizens of greater Toronto with the outdoor educational and recreational opportunities that only the Rouge can provide, and we must recognize that the only suitable development for the Rouge lands is that which can be accomplished with a carefully planned multiple-use park that meets the objectives I have just outlined.

I would like to consider the second phrase of my motion, "the unique character of the Rouge Valley." I could talk for the rest of the afternoon on this subject alone, but for this debate I will keep my remarks brief. The Save the Rouge Valley System has prepared an excellent fact sheet called What Will a Rouge Valley System Provincial Park Protect? It notes that the Rouge contains 16 designated environmentally sensitive areas and it describes a natural wealth which makes the Rouge unique within the greater Toronto area. I would like to share with the House the highlights of this fact sheet.

The Rouge River system is home to over 40 species of fish including two nationally rare species: the central stoneroller and the reddsidedace. It is a valuable spawning area. There are 78 species of birds living in the Rouge, including two nationally rare species: the red-shouldered hawk and the Cooper's hawk, as well 18 regionally rare bird species. The area is vital for feeding and for migration through the city's harsh environment.

There are 21 mammal species that inhabit the Rouge, including white-tailed deer, beaver, coyote, red fox, weasel, otter, flying squirrel, deer mouse, mole and vole.

As for flora, there are over 400 species, representing more than one quarter of Ontario's native plants in the Rouge system. They include 92 regionally rare species. There are also 11 provincially rare species and 12 nationally rare species.

The Rouge Valley system is the site of Metro Toronto's last provincially significant class 2 wetland as well as the regionally significant Towline Swamp, which is home to wood ducks and osprey.

The Rouge also contains Metro Toronto's largest continuous forest. The Rouge forest includes over 70 native tree species representing 80 per cent of all tree species found in Ontario.

Some of the Rouge trees are hundreds of years old. Three areas of Carolinian forest have been designated as critical, unprotected natural areas and one of the white pine stands rates among the six most significant stands south of the Canadian Shield.

I have already mentioned the 63 archeological sites on the Rouge tablelands. Some of these sites are of international significance dating back some 9,000 years. There are also 15 historical structures and the only known, undisturbed Seneca indian village site in Canada. Several facilities for recreation, education and tourism have developed around the Rouge including the Metro Toronto Zoo, the Hillside Outdoor Education Centre, three conservation areas and many kilometres of nature and hiking trails. The area includes Metro's cleanest river system and beach and its most productive fishing location.

The natural and cultural richness I have outlined combines to form the area of the greatest potential for passive recreation in the greater Toronto area. Nowhere else can match the opportunities for hiking, canoeing, bird watching, fishing, swimming, picnicking, photography or simply relaxing in a natural environment.

I must turn now to the next part of my motion, the financial commitment of the federal government in support of the save the Rouge efforts. As I noted earlier, this amounts to \$10 million towards the cost of establishing a provincial park or ecological reserve. On 15 September 1988 the then Minister of the Environment, Tom McMillan, announced this generous financial commitment as well as the federal government's willingness to co-operate with Ontario, at its request, in a provincial initiative to protect the Rouge. The offer still stands 14 months after it was made.

1530

I want to devote considerable time to the next component of my motion, the threat to the Rouge of the province's plans for highway construction.

The development of a highway is the most immediate and serious threat to the Rouge. The ever-increasing pressure of traffic among and between Metro, York and Durham regions has led many people to believe that a north-south highway through or crossing the Rouge Valley lands is necessary and inevitable.

We do not deny that there is a transportation crisis in the eastern and northern regions of the greater Toronto area, but there is no reason why the proposed east Metro transportation corridor needs to be built across and along the edge of the Rouge River Valley. There are alternatives to

this proposed north-south multiple lane highway that would link Highway 401 with an easterly extension of Highway 407.

Let's consider for a moment what the impact of such a highway would be on the Rouge system. Even if the highway simply crossed the Rouge Valley, polluted highway runoff would degrade the water quality, not only of the Rouge River but also of Lake Ontario into which the Rouge River drains.

I would like to add that only last week we had a perfect demonstration of what this can mean when a tanker truck overturned on the Queen Elizabeth Way at Mississauga Road and dumped thousands of gallons of fuel oil into the storm sewers, which ultimately ended up in the Credit River and out into Lake Ontario. That is an example of the risk when you have highways in environmentally sensitive areas.

As David Crombie's Royal Commission on the Future of the Toronto Waterfront noted, such pollution would turn Metro's cleanest river system into another polluted Humber River or Don River. Consider too how this water pollution would harm the fish that are still bountiful in the Rouge. Think about the disruption of wildlife and about the number of animals that would be killed trying to cross the highway.

Think about the effects of salt spray and automobile emissions on the significant Carolinian forests and white pine stands through which the highway would be cut. Think about how the air pollution would harm the flora and fauna, how the noise pollution would ruin the peaceful and relaxing natural environment of the Rouge, how the bright headlights would endanger sensitive breeding areas, how the highway construction would lead to the loss of rare native wildflower communities. Finally, consider the aesthetics of the highway. How can two massive concrete bridges compare with the beautiful treed skylines of the Rouge in its natural state?

You may say, "Yes, a highway would degrade the Rouge but we badly need that highway." No, we do not. There are alternatives for improving the transportation infrastructure in east Metro, Durham and York. The details of what I am about to propose are available in a brief just released this month by the group Save the Rouge Valley System, also known as SRVS. This brief is entitled *Saving the Rouge and Satisfying Future Interregional Transportation Demands*.

SRVS proposes a combination of improved arterial roads and rail transit service. Let me quote for a few moments from page 7 of their brief:

"The Ministry of Transport wants to build a six- to eight-lane highway through the proposed Rouge provincial park to handle 40,000 north-south trips per day. However, just to the west, the extension of Morningside Avenue to link with the Markham bypass and the widening of Highway 48 could handle an additional 70,000 trips per day at the east Metro-York boundary. Utilizing just these two arterial road options alone would provide 30,000 more north-south trips per day than the designed capacity of the proposed east Metro highway."

Another option that has been identified for handling north-south traffic flow would be to expand Regional Road 23, which runs north-south between Ajax and Whitby from Highway 401 to the proposed Highway 407.

The Save the Rouge Valley System also discusses expanding and improving subway and GO train service, notably "the integration of an expanded subway system with surface rail transit will create an environmentally sustainable urban transportation network and provide increased opportunities for meeting Metro's affordable housing requirements."

It is time the Ministry of Transportation updated its 17-year-old plan for the east Metro transportation corridor. Toronto today is not the Toronto of 1972. There can be no doubt that a sustainable eastern transportation network must include improvements to public transit as well as highways. Most important to this debate, there is no doubt that the Rouge, our last significant green space, can and must be spared from highway construction.

A highway is not the only threat to the Rouge, as I have stated. The Rouge has also been eyed for a landfill site and for estate housing. I emphasize it is not affordable housing here; we are talking about estate housing. Although these threats are less imminent than a highway, we do not want to discount the importance of preventing garbage dumping and estate housing on the Rouge lands. Both are incompatible with the preservation of the Rouge's great natural and cultural resources.

The creation of a landfill site would destroy or displace many living creatures, resulting in a loss of the Rouge's precious diversity of species and habitats. There would be regular heavy truck traffic to and from the site, with all the air, ground and noise pollution that accompanies such traffic. As well, leachate from the site could contaminate the river system. In short, a landfill site would be devastating to the Rouge.

Estate housing would not be much better. Picture the bulldozers uprooting trees and other vegetation, and the further damage from installing water and sewer mains, paved streets and electrical lines, not to mention the houses themselves. Consider the loss of wildlife habitats, and after the construction the increased automobile pollution. It is not a pretty picture.

I have arrived at that part of my motion "that approximately 90 per cent of the Rouge Valley lands are presently owned by the provincial government."

The province originally acquired the Rouge lands in 1975 under then Premier Bill Davis for the purpose of creating a regional park. It is worth noting that the Conservative government developed plans for the Rouge park prior to the change of government in 1985. Since 1985, the Liberal government has not come forward with any concrete plans, only with vague promises to save the Rouge. I guess "concrete plans" is a bit of a pun, not intended but unfortunately nevertheless there.

The fact that this was a Conservative government plan for a regional park, the fact that the people of Ontario have owned this property for almost 15 years speaks for itself of the intention for the use and preservation of these lands.

1540

To come back to the provincial ownership of the Rouge Valley lands, the government owns 89 per cent of the lands which are in the municipality of Scarborough. These Scarborough lands are the contentious Rouge areas that have been eyed for development. Even when one includes the lands that are further north in York region, the government still owns 75 per cent of the total area we propose for the Rouge provincial park. The remaining privately owned lands in the Rouge area have for the most part been identified as flood prone. They could therefore be acquired by the Metropolitan Toronto and Region Conservation Authority under its mandate for flood control.

Obviously the province, through co-operation with other levels of government, has the power to save the Rouge. As principal land owner, it holds the key.

This brings me to the main thrust of my motion that "this House is of the view that the provincial government should immediately take all appropriate steps to designate the Rouge Valley as a provincial park.

The government's game plan would obviously have to include the following steps:

1. Definition of the lands to be preserved: The government has had plenty of time to do this and we have proposed a definition of the park area for it.

2. Consultation and joint planning with the appropriate municipal and regional governments: This should not pose a problem. Scarborough, Markham and Pickering councils have already voted unanimously in favour of preserving the Rouge. Metro council has expressed support for Scarborough council's decision to amend its official plan to change the designation of the Rouge area from agricultural and open space to open space and recreational. However, Metro has deferred voting until the provincial government makes up its mind on the intended use of the provincially owned lands.

3. Acquisition of privately owned lands to be included in the park area: As we have mentioned, privately owned lands constitute only 11 per cent of the total land we propose for the park. Their acquisition will require the co-operation of municipal authorities since some lands are best acquired through mechanisms such as the flood control mandate of the conservation authorities.

4. Development of a park plan: This will obviously have to be a consultative process involving representatives from all levels of government as well as business, interest groups, private citizens, planners and environmental experts.

Some parts of the park are best left free from human interference. Others are appropriate for such recreational uses as nature trails, bicycle paths and picnic sites. Still other areas can accommodate attractions such as a reconstructed Indian village, a fish hatchery and fish ladders, and an interpretative centre. The Rouge is appropriate for a multiple use provincial park.

If this Liberal government is serious about saving the Rouge, it will support this motion and take these steps as soon as possible to designate the Rouge Valley as a provincial park. It has stalled long enough. There can no longer be any excuses for using the Rouge lands for a highway, for estate housing or for a landfill site. All such uses are incompatible with preservation of the Rouge Valley and tableland ecosystem.

It is my fervent hope that the Premier (Mr Peterson), the Minister of the Environment (Mr Bradley), the Minister of Transportation (Mr Wrye) and their colleagues will see fit to put aside our partisan differences and support my motion, thereby initiating the process of creating the Rouge provincial park.

Our friends in the gallery, representatives from the Save the Rouge Valley System and the Coalition of Scarborough Community Associations join in requesting your support for our motion.

May I just say in closing that the people who have been involved in the Save the Rouge program for the past number of years number in the hundreds, and the membership and support for this cause is growing every year. For the key people who have spearheaded all the work, all the planning, all the attendance at meetings and all the hundreds of briefs and presentations that have been made to government members of this Legislature and to government staff, all of that work has been volunteer.

I think it is terribly important once and for all for this government to recognize what it is the people of Ontario are saying and once and for all for it to listen. Please save the Rouge Valley and tablelands.

The Deputy Speaker: Does any other member wish to participate in the debate?

Hon Mr Bradley: Thank you very much, Mr Speaker, for permission to participate in this debate.

It is wonderful to see others joining the movement to retain the Rouge, as all of us in this House would like to see it retained. I welcome the last speaker and the third party to this particular issue and believe that it is nice to have them finally on our side on this issue.

Certainly, anyone who has at all paid attention to the debate would recognize that on a number of occasions, both in this House and beyond the boundaries of this House, the Premier of this province, the Minister of Natural Resources, the Minister of the Environment, the Minister of Government Services, and certainly the members from Scarborough and others, have recognized publicly the value of the Rouge area, particularly the Rouge Valley but the Rouge area as a whole, and have been clear that it is the intention of this government to retain that area as a green area in this part of the province.

I need not go into great detail in extolling the virtues of the Rouge, except to say again that any objective observer who looks at the land in that area and who has had the opportunity as I have had, thanks to the representatives from the Save the Rouge group, to walk through those lands could not help but be impressed with the wildness of it. I use that because I think it is significant, particularly in an urban setting, that there be wildlife both in terms of plant life and animal life in the area.

Certainly, I was extremely impressed as I was given a good deal of detail on it as I went through the area. As I recall, on that day the mosquitoes were a little on the heavy side, but we bore with it. You could see the different forms of life that were there, particularly the plant life that was there, which was unique. You really did not expect probably to find that within the confines of a major urban municipality.

The beauty of the area is quite obvious. The fact that you are in an urban setting yet get the feeling you are miles and miles away from that urban setting in a very peaceful place where wildlife is allowed to exist, all of that certainly cannot help but leave a lasting impression on anyone who has had the opportunity to go through the Rouge, as I have some time ago and as I know many of my colleagues have.

In that regard, I would like to pay tribute to those who have presented the case to us as legislators and to others in the decision-making process, because it has been presented in a very rational way with plenty of backup material, good scientific material that has been extremely helpful in defining the potential uses of that area. When you have that from people who are obviously very committed, it is very helpful in terms of making decisions at the government level.

1550

I think we all recognize the need for green areas in large urban centres, indeed all over the province of Ontario, but particularly when we see the urban life that takes place now, when we see the expansion of population and everything that comes with it. I think there is a recognition to retain Toronto and the areas beyond Toronto as sane areas, as areas which are desirable to live in. It is essential that we have appropriate green space, I think particularly passive green space, in that area.

There are many who believe that as long as you have recreational areas, tennis courts, golf courses and so on, you have served the purpose, and they are useful as a recreational component in a community. But equally important, in my view, are the areas which are passive in nature, which allow us to enjoy a natural setting without any human-made facilities in place. We may be able to enhance it a bit here and there, but very often retaining it in its state of existence is most important.

I remember talking to Senator George Mitchell, who is the Senate majority leader now in the Senate in the United States, about how he was impressed with how Canadians, in many

instances, had retained a number of green areas within their urban setting. I discussed with him at that time, very briefly, one of the areas that we were looking at and assessing for that use. It was in fact the Rouge area of Toronto.

The Premier has appointed the member for St Andrew-St Patrick (Mr Kanter) to look at all of these areas, to assess them and to determine the best ways of maintaining that green space right up the river valleys, and I guess you could say the creek valleys as well, of Metropolitan Toronto and beyond that because there is a recognition of how important that is to our future.

As I say, I welcome the interest of all of those who have joined us in this. The former Minister of Natural Resources, who is the member for Niagara Falls (Mr Kerrio), was a person very interested in this specific area. I recall his certain support of the acquisition of land by the Ministry of Natural Resources, and of course by the conservation authority in this area, pointing out how much land had been acquired and preserved and his desire to see even more in that category.

This is why I welcome the support of the member for Mississauga South for the position we have taken over this period of time. With that kind of support, which I did not find in great volume previous to the change of government, I know that we will have consensus in this Legislature.

Mrs Marland: The Conservatives bought the land.

Hon Mr Bradley: Now she intervenes, as she does from time to time, and how nice it would have been if the alternative corridors to the east Metro transportation corridor had been preserved years ago when the Progressive Conservative Party was in power. How nice it would have been. Again, we are in a situation of having to pick up the pieces. That does not mean it cannot be done, and that is what the government is looking at, all of those alternatives to the east Metro transportation corridor.

But when you see shopping centres in there, when you see housing developments and so on, you know that will be a difficult process but not an impossible process. I just say how nice it would have been had that been retained, had there been some foresight in the past in this regard. That is why it makes it more difficult to actually make a specific announcement until such time as you have those alternatives particularly determined.

I also wonder why the lands that the member made reference to in her initial remarks were not acquired a number of years ago when land was

substantially cheaper. Some lands were purchased. It would have been nice to see those purchased in the past. Again, this is not a roadblock to it, but certainly it presents us with a little more difficulty.

I heard reference made to the \$10 million. Of course, the former Minister of Natural Resources burst out laughing when he heard about the \$10 million that came just before the last federal election. The obvious purpose of the \$10 million was to attempt to rescue Tory seats in Scarborough. It did not work entirely, but that was certainly a political ploy with many conditions placed on it.

The member for Niagara Falls will well recall the national park that he initiated in the Bruce Peninsula. While the federal government was busy giving about \$125 million to British Columbia, the member for Niagara Falls, as the Minister of Natural Resources, was investing \$10 million of our own money and turning over the whole land free of charge, I believe, to the federal government.

We are quite pleased to see that down payment of \$10 million. No doubt that was only a down payment and they would want to add at least one zero to that to be relevant in this play instead of simply trying to get in on the act.

What we have to determine, what we are in the process of doing now as a government, as the Premier has said on many occasions, and as the Minister of Natural Resources (Mrs McLeod) and the Minister of Government Services (Mr Ward), who have carriage of this particular issue, have said, what they were all saying is, "Let's look at which specific lands should be retained and what uses should be retained on those lands."

I think that is going to be an exceedingly important decision. That is why we are gathering the input, this is why we are doing the appropriate studies, all under the commitment the Premier has made to save the Rouge and to preserve this area, but we want to be very specific in these announcements and determine the very best use for those lands.

I also remind those in the House who may not be aware of it that when we talk about park land, we well remember the previous government's whole policy on park land, what it was going to allow to happen in parks across the province of Ontario and how that policy was halted in its tracks by the member for Niagara Falls when he was the Minister of Natural Resources and how as a result we have purer uses of those lands.

We do not have mining that is going to be allowed in those parks, we do not have logging

that is going to be allowed within the boundaries of those parks, we do not have some of the multiple uses within park land that were entertained and allowed by the previous government. This is why we want to be sure that, as much as possible, we retain this land in its pristine state, as it is in a pristine state in many cases now.

I was a teacher in my previous incarnation and one of the great advantages I saw of this, particularly when I was taken through the lands by those who are in the forefront of the campaign to retain these lands, was the opportunity to utilize these lands for educational purposes, outdoor education where somebody did not have to drive a few hundred miles but simply less than 100 miles, and probably less than 50 miles for most people in the greater Toronto area, to see an area of this kind, to expose the children in the education system, and indeed adults in education systems and adults as part of clubs, to what wildlife is all about, what green space is all about and the value of retaining it.

We in this party, we in the government of Ontario have given our commitment to preserve the Rouge area. We commend the member for Mississauga South for running quickly to jump on the bandwagon and we are always happy to have other people on the bandwagon, especially my friend the minister for Mississauga South—let me correct that; she smiles as I say “minister”—the member for Mississauga South, who has made a good speech today on this.

I guess I leave members pondering how many people in this House believe that, if the Progressive Conservative Party were in power, that resolution would be coming from a Progressive Conservative government. I leave members of the House with that particular thought and also with the thought that this—

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Bradley:—government is committed to preserving the Rouge area as the green space, as the wildlife area that all of us want to see in the Metropolitan Toronto area and for the province of Ontario.

Mr Curling: This is a very special day for me. First, I should commend the member for Mississauga South for bringing forward this motion. But as members know, politics is the art of trying to convince people, especially the government of the day, of the right thing to do. So I want to commend the honourable member, as my colleague has previously said, for coming inside and seeing the light that we should preserve the Rouge Valley.

1600

It is not a profound statement because we have been saying that for a very long time. We know the usefulness of the Rouge Valley, but somehow again, in its own indirect way, this government has allowed and made available an opposition day in order to give the opportunity for those to bring forward resolutions like these, even in a direction in which we ourselves can see some way that her direction is going in the right way. But we must be very, very careful in regard to this, because in this hurried fashion we are not quite sure if the honourable member for Mississauga South understands the entire implications or the entire complexity of preserving the Rouge.

I want to commend those who have carried that issue for a very long time, and two members are in the gallery who have carried this cause along. I am glad. I am hoping that some of that education is passed on to the members on the opposite side. I see that today some people feel that by putting on a T-shirt they are converted.

Interjection: A sweatshirt.

Mr Curling: Or a sweatshirt. They feel they have arrived.

It is almost like some I have seen—and we welcome you in the Rouge Valley—visiting there for about 15 minutes and saying, “I am convinced. I fully understand the Rouge Valley. I am completely”—

Mrs Marland: Oh no, I spent three hours in the rain.

Mr Curling: She corrected me. She said, “Three hours,” and then she is fully convinced of how they can resolve the Rouge Valley.

That brings me to the point of the \$10 million, which members are quite familiar with. Again, here comes an election and the federal Progressive Conservative Party feels that it could, in a sense, with an idea of putting in \$10 million, convince those there to vote for the Conservative Party. It did not work. As a matter of fact, we in Scarborough North maybe felt that we should have done more. It is quite possible Tom McMillan felt that this was a last deathbed repentance in regard to the environment, that he could have done this. However, we know where Tommy McMillan is today. That did not work at all.

I want to get back to the point of commending those two individuals, especially in Scarborough North, who have fought very actively to bring forward the issue of the Rouge Valley. As members know, Jim Robb and Glenn DeBeare-

maecker have done a tremendous job in educating us there.

There is also the Save the Rouge Valley System, which members know was created in 1975 by a group of really concerned citizens. They continued to be concerned about the fear that the Rouge would be in danger of being lost through a not really planned and thought-through process. They have brought the issue so forward that we today are able to deal with it in a very intelligent manner. The Rouge Valley Foundation too was established in 1984 to create and operate a fund to support projects aimed at enhancing the Rouge's natural environment.

We should not play politics with this issue. I do not have a long history of politics in this place and I am glad for that because this issue is an emotional issue. It is an issue that concerns us all. It is an issue that our children will be dealing with if we have dealt with it in a bad way or if we have dealt with it in a good way. I know that this government is committed to preserving the Rouge Valley.

Mrs Marland: We'll see at a quarter to six.

Mr Curling: We will not be pushed in any way to address the Rouge Valley without making sure that all the other issues are looked at very seriously. I spoke to the honourable member who, I can tell members, has been converted and I think she is very much on side. I am very impressed with the quick knowledge and the quick briefing that she has shown, that commitment to the environment now. I am not quite whether she was there at the time when her government, her party, was in power. I just would have hoped that when they acquired these lands—in 1976, as my colleague told me—that they would have had the foresight to develop the preservation there. Now we are, I would say, burdened with the aspect of acquiring and doing things at a much more expensive rate. The democratic process has its way of resolving things and I am so happy that people saw fit in 1985 to put a government in place that can address these issues.

Nature has always been referred to as Mother Nature, and we know we do not abuse our mother, but somehow in the years that have passed by the abuse to nature, to this universe has been done by governments and individuals. We think we must put a stop to that. We must put a stop to it and first educate ourselves about what we are doing wrong. How can we redirect our purpose in making sure that this environment is clean? Again, I refer to the fact that as we bring the converted and convert more on side, we have

a great hope of redeeming back this global, this wonderful place that God has given.

As the member for Scarborough North, I have, as I have indicated, a very strong interest in the future of the Rouge Valley. I have discussed the Rouge Valley with many individuals in my constituency and outside of the constituency.

As a matter of fact, the Rouge Valley is being debated as an international issue. I have read in many magazines where people have known about the Rouge Valley. It is an issue which touches everyone very deeply. Many want to see the Rouge continue to be preserved as a green space area. Many enjoy the area for walks and recreational activity. I am sympathetic to those who advocate the preservation of the Rouge. I too, as I have said, support the need to preserve this unique area.

The Premier, on many, many occasions, as members can recall, has stated emphatically that he is committed to the preservation of the Rouge and its importance to the future generation. Each day questions are asked in the House, "Are you committed, Premier, to the preservation of the Rouge?" He has said over and over, that yes, he is committed. And this government is committed to preserving the Rouge.

This government also recognizes there is a need to consult with the surrounding municipalities and the public on this issue. Many of my colleagues would like to go right ahead and then live with the regrets of an unplanned and not carefully thought through process.

Mr D. S. Cooke: Why don't you say what you mean? You haven't said anything in the whole 10 minutes you've been up.

Mr Curling: My colleague from the official opposition would like us to jump ahead without thinking it through properly.

I note the significance, of course, of Scarborough council in the planning of the Rouge lands. The member for Mississauga South spoke about executive housing—I think that is what she said—

Mrs Marland: Estate housing, three-acre lots probably.

Mr Curling: —estate housing that, if I recall, the mayor at the time was advocating very strongly be placed there. When it was not politically feasible for her, the tone changed. I am glad. I am very impressed and very glad of that.

When we spoke about affordable housing, the members of the New Democratic Party talked so strongly about building affordable housing and asked what we were doing with those lands up there. We said we would take a very serious look

at that area. Today the member is saying we want to build affordable housing. We are an open government. We put the issues out there for debate and discussion and because we said that area would be looked at, they are all jumping up and down asking whether we are going to put in affordable housing and are we going to put in roads. All these things are being discussed and being studied.

1610

The Rouge area is a valuable recreation resource for Scarborough residents. There are people who would like to see large recreational complexes in certain areas of the Rouge; others seek to minimize active recreational facilities in the Rouge. Most agree that a system of recreation and hiking trails is desirable. You heard my colleague the Minister of the Environment state that. The Metro Toronto and Region Conservation Authority has already provided numerous trails in the lower Rouge and there are pressures for recreational development on the Rouge which will require very careful consultation with municipalities and the residents in the area. A recreational master plan could be developed for consultation. This recreational plan would recognize the current uses of the Rouge area, such as the Metro Toronto Zoo. This facility attracts large numbers of students, parents and children every year. All uses of the Rouge will have to take into account and balance these current and future needs.

I stand today proud to know, as I said before, that the Rouge Valley is in the hands of a very responsible government and very responsible ministers who are looking at it from all aspects. Mr Speaker, you realize the credentials and the track record of our Minister of the Environment. We know he will look at it very seriously. We also see the concerns that we have about building roads. At one stage, on many, many days and oftentimes in this House I hear members talking about transportation and the roads that are being clogged up. Again, their memories slip very quickly as soon as we bring it to light that we need to study where to put roads in order to move the people? The concern about putting a highway through the Rouge Valley is of concern to me also, a very serious concern, because we have to make sure that we do not damage the ecosystem within the Rouge.

We are not afraid to say that openly, we are not afraid to talk about the concerns we have about transportation and where we would like to put it. We have to consider all options. But the members on the opposite side, in both the

Conservative Party and the New Democratic Party, think it is politically expedient to speak against anything we say and just to act quickly and to be on side or quickly put a sweatshirt on and say, "I am now converted and go right ahead and do that."

Sometimes the honourable members feel they have complete ownership of the environment or the ecosystem and we, who have taken, as I said, careful consideration of what direction we want to go, are considered as dragging our feet. We are not at all. If the Conservative Party, which, as I said, acquired these lands in 1976, was thinking about the environment, it would have done so. I cannot recall the New Democratic Party putting any great pressure on the government of the day to preserve the Rouge. Maybe they paid lip-service to it all, but we are moving; we are acting, we have done studies, we have looked at different alternatives about what should be done about the Rouge. We do not want to make mistakes to the point that they are irreversible, because much of the damage done by previous governments is irreversible or it would take a considerable amount of money to correct those faults.

I will not go through the various aspects of the Rouge and the richness it offers, because we have heard it many times, but I want to say to the honourable member for Mississauga South, who is not in the House now, that her motion is quite sensitive. Her motion has concerns. There are parts of it, of course, that I would say to myself are a little bit too hurried, because today we have to have alternatives and we have to have plans and directions in which we would like to go. Just to say save the Rouge, we wanted to know what we are saving, what will we be doing with it, before we decided that this itself is just more or less a political statement. We will not do things as have been previously done by other governments; we will do it in a way that is sensitive and will preserve the Rouge.

I want to say in ending, again, that those people who have continually fought the battle to bring the issue to the forefront, to educate our colleagues on the other side and also those of us on the side of the government, should continue their struggle. I think it is in good hands, because we are on the road, as we said, as the Premier said, to preserve the Rouge.

Interjections.

The Acting Speaker (Mr Breagh): I take it the member has something he would like to say to the House.

Mr R. F. Johnston: I thought I would get up and respond to the two Liberal members and to the member who initiated the discussion.

How can the member say that having deer on my sweater could possibly be a demonstration; especially a pregnant deer? I think this is unseemly of him.

I just want to say this is obviously the day for euphemism. This is the day for praising motherhood and apple pie. The member for Scarborough North (Mr Curling) is now leaving before I can express my tirade against him. The vacuous pomposity which has issued forth from his mouth today is a bit timid if he is going to run out of the House at this stage.

I cannot believe what we have had here today so far. We have had a badly worded resolution, regrettably, because the intent was right, but the resolution has been badly worded, so it allows the Liberals to talk as if they are in favour of saving the Rouge. The member for Mississauga South has brought in a resolution, hopefully to try to put these guys on the block and find out exactly whether they are in favour of saving the Rouge or not, and what does she put down? She puts down language which basically makes it possible for the government to say, "We will save the valley, we will save the flood plains." They are obligated to do so anyhow under law. Even they could not take away the valley.

The key issue about the surrounding acres of tableland, which will make the valley a good place ecologically in the future, that issue is being obfuscated. So they actually can get an ex-minister who has been put out to passive use, the member for Scarborough North, to get up and say that they are in favour of saving the Rouge Valley at the same time that he talks about a transportation corridor, the Ed Fulton memorial expressway, because if they put it through, that is what it will be. And not just the Ed Fulton memorial expressway, it will be the last Liberal they will elect in Scarborough, it will be the last Liberal they will elect in Pickering, if they put through that kind of desecration of this Carolinian forest. It is that simple.

For people who have been fighting this battle, who are in this House today, to hear the kind of vacuous pomposity we have had to suffer and making it sound as if this government is actually looking at solutions that are going to preserve the 10,700 acres that need to be preserved if we are going to keep that water fresh, if we are going to be able to preserve the various kinds of life that is in there at this point, must be insufferable for them.

1620

The government may think that today has given it the opportunity, through euphemism, to

blur the lines because of a badly worded resolution, but the real question that is being put very clearly and that it cannot avoid is, is it willing to save that Carolinian forest or not? Is it willing to save 10,700 and some acres as a minimum to saving that ecosystem? That is the real question that is there and that is this government's problem.

Let's just be frank about it. I think the Minister of Natural Resources past, now also out to passive use as his reward for his position on this, was very much in favour of preserving this entire area. I think the same probably goes for the Minister of the Environment, but I believe that the past Minister of Transportation and the past Minister of Housing are very much co-conspirators in trying to stop the preservation of any of the tablelands.

I think it is really interesting that Mr Lebovic, a well-known developer, can get access to the full cabinet, can come and make a pitch for using all these lands for development purposes, and that the government will not provide the save the Rouge group the opportunity to come and pitch its case. Mr Lebovic said that if he and others are not allowed to use the tablelands, he is going to put up signs saying, "This extra time it is taking you to get home is caused by the white-tailed deer." Mr Lebovic—and others, and I will come to this—has extreme financial interest in having the government put through that E Fulton expressway for his development concerns north of the Rouge.

That is who the government is listening to. That is why the member for Scarborough North is able to get up in this House and make it sound like you can preserve the needed lands in the Rouge and have a transportation corridor going up through the edge of the Carolinian forest and perhaps even have a dump on the other side and have estate housing. It cannot be done. The members must first commit themselves to preserving that last refuge of Carolinian forest in this part of North America. That is what must be done first, and then the other issues dealt with afterwards.

The save the Rouge group has brought forward to this government and to the members in Scarborough long before now a plan for other arterial routes that could be used for the expansion of Highway 48 up through Markham, roads on the other side servicing the new community of Seaton that it decided will be developed on the old airport lands; they have provided some other alternatives that are safer ecologically than this one.

All of the members know that the plan for this expressway will destroy some wonderful, 300-year-old walnut trees, sycamore trees that we do not see growing any more. We have one example out here in our park north of this building, but the basic trees of the old Carolinian forest will be gone. Some of the best stand that is in this area is right in the way of Mr Fulton's roadway. What is this roadway for? I do not know how many Liberal members have actually looked at the map and seen where this arterial road goes. It goes north to a supposed extension of Highway 407, which at this stage is not even planned to go that far.

There are many other routes that could be used to come down through that area. One has to then ask, "Well, what is the deal here?" I get pretty suspicious when I know that Mr Lebovic and Mr Muzzo and some others have access to cabinet members on a regular basis and Save the Rouge members do not. Then I start to hear that both of those gentlemen and other major developers have already bought up major portions of land above the supposed extension of Highway 407 and that is really what that arterial road is all about. That is what the Fulton expressway is really all about, and for that connection to those developers, on whom this Liberal Party is so reliant, they are willing to sacrifice this last major refuge of Carolinian forest.

Let me put this in perspective, because I have heard some gobbledegook today about how pristine these Liberals are in comparison with the Tories in the past. I am not one who is going to say the Tories did much to save our environment in the province of Ontario beforehand, but all we have to do today is to fly into Toronto from the north, from the southwest, from the east, it does not matter, and what we see is the rape of some of the best agricultural land in the province of Ontario, an issue which we joined in 1975 to try to get some kind of sane legislation to control that development.

Instead, what do we see now? We just see uncontrolled development. And what is the development of? Is it of affordable housing? Mr Lebovic's idea of affordable housing is \$500,000 homes. If members think I am kidding, they should go and look at his last development that is right next to, backing up to, the area that we want to preserve in the Rouge. All those homes are in the \$400,000 kind of range. That is not affordable housing.

These are huge lots, totally inefficient kind of lots for any kind of servicing that we would want in terms of schools or other kind of infrastruc-

ture. We are serving a new acquisitional élite in this province that wants megahomes, monster homes, to prove their status in society. We are willing to do it at the expense of some of the best farm land and now to even destroy an amazing little enclave of ecological purity.

Any members who have not visited the Rouge yet and gone down to look at the river will be stunned. You will be stunned. You can see the bottom and not see rubber tires. You see fish. You can actually see fish. You can see blue herons. You can see endangered species of hawks on a regular basis and then you can see developments which have been pushed back. God knows how they got this agreement through the Metropolitan Toronto and Region Conservation Authority. I am beginning to wonder about that conservation authority a great deal. As I understand it, they are selling off land in the Rouge itself these days.

We see them pushing back over the edge of the valley these developments, not preserving the kind of barrier of greenery that we would want between any kind of housing development nearby and this kind of very precious area. We see holding areas for storm water being used, which is a useful thing. We can all agree with this new technology, but it is being used at the expense of existing wetlands. Existing wetlands are being gutted. Wonderful areas for all sorts of plant life and animals and the whole food-chain support system, a glorious kind of region is just ripped up, somehow getting approvals by ministries, by the conservation authority and desecrating this area in an impossible fashion.

I say to the Liberals that if they do not understand at this point three vital symbols of their greenery, if they are really a green party in the sense of being interested in the environment, if they do not understand that Temagami, the Rouge and disappearing farm land are the three issues symbolic of whether a party is actually green or not green, they are in real problems, and even their massive majority will wilt in the next election if they do not come to grips with that soon.

There is no simple compromise between housing and the Rouge or a highway going through the edge of the Rouge, as it is planned at this point. That does not exist and allow them to still say they are environmentalists. They have to understand that. If they think the kind of battle that is being fought around Temagami is something, they should just wait until they try to put through Mr Fulton's road.

Let me tell them, they have not yet seen in this province the kind of civil disobedience, if necessary, that this will engender. People feel passionately about this. They may not have felt it so far in the speeches because although it was a well-documented speech by the member for Mississauga South, it was a read speech; and then we get the pompous responses that we have had from the other side blurring the issue about what they are really in favour of. But the people feel passionate about this.

Mrs Marland: What is a read speech?

Mr R. F. Johnston: A read speech is one that was read, one that was written down and read. Because of that, because the honourable member wanted to cover all the good points, which was important for her to get on, it did not come through with the kind of passion that people feel and I am sure the member feels.

1630

All I am saying to them is, if they do not think the millions of people who live in the Toronto area at this point, do not feel passionately about saving this important symbol for us and that we want access, but through public transit, to that kind of facility—

Mr Kerrio: You have stretched the truth out of all proportion.

Mr R. F. Johnston: What is stretching the truth? I am sure if the member wishes—

Mr Mahoney: It's in his job description.

Mr R. F. Johnston: Now I understand why the member has been put out to pasture. He does not understand that this area has been recognized as one of the few areas which are in danger. It has been recognized internationally.

Mr Kerrio: Not the last? You said it was the last.

Mr R. F. Johnston: I am not talking about that which the government has in a park at the moment and the small vestiges, but this area absolutely needs to be preserved. Where else is there around Metropolitan Toronto, where else is there in the greater Toronto area, the government's greater tax area, that needs to be preserved in that kind of fashion?

That is exactly the point. This is the last place we have anything like this kind of greenery around here, and we have as much right to access to that as does somebody down in Point Pelee. People in our school systems have as much right to go out and see that living ecosystem as do people in southwestern Ontario. They have as

much right to expect that outside of a museum as do other people in the province of Ontario.

If the member does not understand how important that is to us, let me tell him, the government will face the political consequences.

This area has in it an enormous number of archaeological sites, 63 are identified, a number of them highly important. As we know, this area was a major gathering place for Indians right from the post-glacial period in this area, and there are some very old sites that have been found. And yet, is this government playing with a dump site not too far from some of these existing archaeological finds? Is it actually talking about putting a dump site in this area?

We already know about the kind of soil that is in that area. We know about how quickly leachate would move down into this water system, and the government is playing around with a notion that should not even be considered.

Mr Faubert: No, that's Metro.

Mr R. F. Johnston: The government is, absolutely. I know the member for Scarborough-Ellesmere is going to say, "We're not likely to do that." In point of fact, the evidence is now so overwhelming that they probably will not do it; but that it was an intention and that it was something the government was thinking about is exactly the case and the member knows it.

Mr Faubert: Nonsense.

Mr R. F. Johnston: The member is going to want to try perhaps to play a political game and deflect people's attention away from this by saying, "Oh well, see, we did not put the dump site there, but the highway itself isn't going to cause a problem, and that needs to go through there."

Interjection.

The member for Scarborough-Ellesmere says that the highway of the member for Scarborough East (Mr Fulton) is not going to go through. Well, I am pleased to hear that, and I hope when the member for Scarborough-Ellesmere gets to the floor he will be a lot more precise than was the Minister of the Environment or the member for Scarborough North about how many hectares, how many acres the government is going to preserve and what he thinks should be the park land.

Mr Curling: How much are you going to preserve?

Mr R. F. Johnston: We would preserve 10,740.

Mr D. S. Cooke: Minimum.

Mr R. F. Johnston: Minimum.

If the member wants to argue that case, then I think he is arguing with the preservation of the Rouge. It is that simple. For those people who want to make the argument to the Minister of Housing (Mr Sweeney) who has been sitting here throughout this tirade, I am amazed to see that this is necessary in terms of affordable housing. Then the only way they can make that argument is on the tradeoff argument, which is one I would hope this minister would not accept. That is to say, for a major development of estate housing on the tablelands, these developers will free up land in other places for the government to build affordable housing.

I think we are seeing example after example in the province now of just how that quid pro quo does not work out evenly for people who need assisted housing in the province of Ontario.

I would say to the minister that we should not get tricked into the thought that this is the sole way to preserve housing in the province of Ontario and to play a game which makes it sound like if we do not do it there on the tablelands, we will not do it anywhere. The government has its great Seaton up there. If they want to make it full of affordable housing, they can do it. But they will not do it in this area and they know that, when they know who the developer-players are in this particular issue.

I want to remind members of the Liberal Party that the Crombie commission was absolutely clear about what it said had to be done. The Crombie commission said specifically that this minimum amount of 10,700 or so acres must be preserved.

The members must also know, whether it is Mr Caccia, Mr Kaplan, Mr MacLaren, Mr Flis, Mr Nunziata, Mr Marchi, Mr Bevilacqua, or Miss Cools, Mr Davey and Mr Haidasz in terms of the Senate, that there is a list of their own federal Liberal colleagues, a large number of their federal colleagues, who have written a letter saying that this minimum amount must be preserved. They are not equivocating on it. They understand that the tablelands are significant in this area and this government is not going to get away with pretending that they are not any longer.

The government of Ontario needs to understand that a resource such as this, Mr Speaker, accessible to a huge population area, including Metropolitan Toronto, areas far past your own riding in Oshawa—that access to this kind of resource by public transit is what we should be aiming for. Development of alternatives to this

kind of highway development is what we have to look at in terms of making sure we do not interrupt the viability of this ecosystem.

This government is no longer going to be able to pretend that it can do things both ways. I regret today it got a resolution which allows it to flim-flam a little bit on this, but the government should know that those people who are watching, not just in the gallery but all across Metropolitan Toronto, understand that this a vote-determining issue, that clarity is vital and that no messing around with this vital resource is going to be acceptable to any of us.

The Acting Speaker (Mr Breaugh): The chair has been made aware, because it is a little hard to miss, that there are several members in the chamber this afternoon who are wearing what has been construed in the past as something that might be called a demonstration. I would ask you to look around the chamber and I think you will note, as I do, that there are members on all sides who are wearing buttons, T-shirts, sweatshirts or whatever.

This chair, in particular, feels a little self-conscious about ruling that someone cannot wear such religious garb as an Oshawa Generals hockey shirt in this chamber, but I am coming to the conclusion that it is getting just a touch out of hand. It would be unfair to interfere with this afternoon's debate, and I certainly would not want to do that, but I do think the matter has been raised in such a proportion now that we will have to take it under consideration and give a ruling at a subsequent date. As gently as I could say that, it has now been said and members should be forewarned.

Mrs Cunningham: I am very pleased to support the motion put forth by my colleague the member for Mississauga South (Mrs Marland) this afternoon and I welcome the opportunity to speak out on the issue of the Rouge Valley. It is a great concern to myself personally, my Progressive Conservative colleagues and to those throughout the province who wonder what kind of a world we are leaving for future generations.

I do not intend, however, to stand up and be totally negative around this issue or over-reactionary to some of the remarks that have been made in this House this afternoon. I realize, of course, that we need to say yes to progress and we also know there is a need to allocate land for a variety of uses. There is a need for affordable housing. There is a need for an expanded transportation corridor, and anyone who commutes to this city can attest to that.

However, with respect to the motion of my colleague the member for Mississauga South, I should say that given that approximately 90 per cent of the Rouge Valley lands are presently owned by the provincial government, I therefore think the vast decision-making on behalf of the protection of this wonderful piece of property is in the hands of this provincial government. I am just wondering if this afternoon government members will take an opportunity to stand and be counted with regard to this environmental issue, which it has become, and to speak out in favour of preserving their environment and supporting my colleague's motion which says that, immediately, all appropriate steps must be taken to designate the Rouge Valley as a provincial park.

1640

Given the comments that have been made already this afternoon, I am wondering where some of the members will be making a stand, and I am specifically speaking of the Minister of the Environment and the member for Scarborough North. I am certainly expecting they will be supporting this motion.

Toronto needs a location for a landfill site, and we recognize that. One of the city's two waste disposal sites is closing soon, and the other will be at capacity by 1992. I know that at present no replacement site has been found and this city is headed towards a waste disposal crisis. We should be looking vigorously for answers. Metro needs a new waste disposal site and it needs an expansion to its eastern transportation corridor, and we know that it needs land for new affordable housing. So, naturally, the Rouge Valley tablelands look attractive.

The Metro council says that it does not want to vote on the proposed uses of the Rouge until the provincial government makes up its mind about just what it wants to do with almost 90 per cent of the Rouge which it owns. The provincial government, including the Premier, of course, has previously pledged to save the Rouge. People on Save the Rouge Valley System and those who are members of the Coalition of Scarborough Community Associations, plus citizens across this province and across this country ask the question, when? When will this government replace these platitudes with policy? "I am committed to the Rouge." What does that really mean? When will action replace rhetoric? The citizens of Ontario are fed up with rhetoric, especially the rhetoric of this Liberal government.

They are moaning today that the feds have committed \$10 million to park land. They are

moaning about it. Can members imagine that? They should forget it. The truth of the matter is, what has this government committed? They are making fun of an election promise. Which promise has this government kept? I mean, it is the last government that should be talking about election promises. The whole election next time out will be based on the broken promises of this government, so the government should not raise election promises with regard to the federal government in this House. They have committed \$10 million to a park based on the action of the Liberal government of the province of Ontario, and right now it is all rhetoric and no action.

The member for Scarborough North, whom I admire greatly and have great affection for, and I will say that publicly, said, "We're moving." Then he said something that just about made me fall over: "We're studying." Boy, do I know about studying. We study everything. The Liberal government in Ontario studies and studies and never makes up its mind about anything, but it is committed to the environment. What environment? Certainly not the environment in the Rouge Valley; certainly not, or they would have spoken up already.

What is there to study? We already know what happens out there. We know we do not have enough green space. We know that we are so fortunate in this province to have some green space and some spaces that we should be preserving for certain, and especially this small piece of land in Scarborough.

There is nothing to study. Everybody knows we are short of green space. The government has an opportunity. I tell them: "Jump on it. Forget the studies. Do something about it. Put forth your \$10 million, but for Heaven's sake, do not tell people you are studying it." Everybody knows there are deer and water and plants and trees and the whole bit. Study? Boy, this Liberal government can certainly study.

Then, "the way of the past." That was the best line of the day. I get sick of it. The Progressive Conservative Party of Ontario built the provincial park system in this province. For 42 years they have supported provincial parks, and now they are saying, "Let's have another one where it's really needed, in a big area of Metropolitan Toronto which has very little left for our young people."

I grew up in this city. I know all about the parks and the green space that used to be here. I know about parks that were turned into housing and other things that were felt very necessary, and maybe they were. But boy, we have run out

of green space. I tell the government, do something about it.

"The past; the Progressive Conservative government did not do anything." Do you know what, Mr Speaker? No government, no federal government and no provincial government in the history of this country has done enough to save the environment. Nobody has; not just the Progressive Conservatives; not just the federal Liberals, by the way. We have not done enough to preserve the environment. Now we have a chance to do something. And what are we doing? We are going to study it.

The young people of this province must be fed up with the leaders they have chosen. There will be a nice switch next time, thank goodness, and yes, we will put our money where our mouth is and we will seriously consider preserving our environment. "Way of the past;" why do we not talk about the future?

Why do we not talk about the future? This government breaks its promises and then blames the governments of the past for its inaction. All of us have the responsibility. We were all part of this decision-making. This is a democracy, and the Liberals, the New Democratic Party and the Conservatives were all in this House and we all worked towards good decision-making. You win a few, you lose a few, but what we should be talking about is the future. Where is the vision for planning in the greater Metropolitan Toronto area? Where is it? Where is the vision?

If there were any vision, the government members would not be wasting their money on studies. They would be putting their money towards preserving the environment, making it cleaner, making the air safer, saving the deer, saving our rivers, looking at the chemicals that we put on our grass. I do not know the answer to that, the overflow in the grasses in Scarborough, where the members live. They should take a look at it and tell us how we can improve upon it. They should put money into that. How can we have nice lawns without ruining our environment? Those are the issues we should be talking about.

Mr Curling: That's a study.

Mr Miller: Don't study it.

Mrs Cunningham: Do not study it? That is exactly what we should be studying, not a green space that is environmentally sound and safe now, but we are ruining it. That is exactly what we should be studying, the chemicals we use on our grass, not an environmental area like the Rouge. We already know it is safe, it is beautiful and we have to keep it that way.

We are always talking in this House too much about the past and not enough about the future. I know that one of my colleagues would have loved to have been here today. He so much wanted to put a statement on the Rouge Valley as part of the record. I would like to read the statement from my colleague the member for Markham (Mr Cousens).

He says that the Rouge Valley system is the last natural wildlife habitat in Metropolitan Toronto and it grieves him to know that the Liberal government has entertained thoughts of destroying this ecological system. He is not here, but he put his words to print so that all of the people of Ontario, if they want to, can read them. He put a lot of thought into this statement and I would appreciate the members listening to it, because it is from the bottom of his heart.

"Current plans for housing, waste disposal sites and/or a transportation corridor are truly unacceptable. All members of this Legislature should realize that the preservation of the Rouge Valley system is not simply a Metro Toronto issue; it is a matter that has national, and indeed international, ramifications. The federal government has made clear its commitment to the Rouge and has backed up that commitment with financial resources, an election promise which it will keep.

"Members of our party have consistently argued that the system be deemed a natural heritage park. On 22 June of this year, the Ontario Legislature gave unanimous approval to my resolution," that is, the resolution of the member for Markham, "calling on the Ministry of Transportation to revise its plans for an east Metro transportation corridor in a manner that would ensure environmental protection of the Rouge. This government can no longer remain silent on its plans for the Rouge Valley. It can no longer deny the overwhelming support for the preservation of the Rouge Valley.

"I take pride in continuing the fight, along with my caucus colleagues, to ensure that the Rouge Valley remains a testament to the province, the nation and the world of our respect for the last vestige of nature in the heart of a world-class urban centre."

We have a wonderful opportunity today to make a statement to our young people about the preservation of our environment. I hope everybody in this House does it.

The Acting Speaker (Mr Cureatz): We are continuing the business for Monday 20 November on opposition day, Mrs Marland's resolution.

Continuing in rotation, the honourable member for Peterborough.

Mr Adams: Like my colleagues the member for Scarborough North and the Minister of the Environment, I am very pleased that the member for Mississauga South has chosen to use this opposition day to draw attention to the Rouge and what it means in this province.

As many of my colleagues on this side of the House would like to speak on this important issue, one of the more useful things that I can do, as the parliamentary assistant to the the Minister of the Environment (Mr Bradley), is to try and put on the record some facts about the importance of the Rouge in this province, in this continent and in the global system, and also to try to lower the tone of the rhetoric which we are hearing here this afternoon in order that we can consider the real situation, not these flights of words that we have been hearing from some members of the opposition.

1650

I appreciate their concern and emotion for this issue, but there are some facts which should be before us. As at least one of the members has said, the Rouge has been designated as being environmentally significant for a variety of reasons. In fact, it has been so designated by a variety of agencies, including the province of Ontario. It has been said to be significant for 75 species of breedings birds, 35 species of fish, 16 species of mammals, 15 species of reptiles, 37 species of invertebrates and over 440 native species of plants. We are aware of those designations on this side of the House, we are very conscious of them and of their importance.

This has been mentioned, but not in this tone: We are also aware of the fact that many hundreds and thousands of the acres that we are talking about are already in fact protected. The Metropolitan Toronto and Region Conservation Authority has already been mentioned. It currently owns more than 2,200 acres in the Rouge. Those acres are already protected. In addition to those which are owned in Metro itself, the province owns 507 acres of the Little Rouge and another 905 acres of the Little Rouge are in private hands.

The much larger Rouge Valley itself is owned by a combination of the Metro Toronto conservation authority and private owners. For example, the conservation authority owns the Bruce's Mill Conservation Area, which is in that valley, that is 267 acres, and the Milne Conservation Area, which is another 392 acres, and the Lake St George Conservation Area, which is another 319 acres. These are acres, and you can add those

together, many thousands of acres, which are already protected.

For example, the Lake St George Conservation Area has been used these many years by students of all ages, from the youngest elementary school students to PhD students for study within easy reach of Toronto and year-round, winter and summer alike. This is a highly important area and many parts of this area are already protected.

Let me, Mr Speaker, give you some examples of these designated important natural areas which are within the area which is already protected. An example is the lower Rouge marshes. This contains the largest marsh and a noteworthy white oak and red oak valley slope area, the most noteworthy in Metro, which is already protected. The significant biology there includes a provincially-rare species, the shy bullrush. You did not realize, Mr Speaker, that a bullrush could be shy. This particular species apparently is. There are 27 regionally-rare species in this particular area, a number of birds and also a number of fish. So that is one area, the lower Rouge marshes.

The central Rouge River and the Little Rouge Creek, another of the areas which has been recognized as being important, is already protected. Here again we have the shy bullrush, which I mentioned before, and 26 regionally-rare species. One of the members mentioned a rare hawk. The hawk concerned, the provincially-rare hawk, is the red-shouldered hawk and what is rare about it is not the fact that it exists in the province, but that it only breeds in certain areas. This protected area that I am mentioning is one of the areas in which it does breed, in which it is already protected. Large parts of the Rouge are on the standard migratory routes for hawks of all sorts, so they pass through, but this particular rare one already nests and it should be protected and is being protected in this particular area.

Not only do birds migrate through this area, but so of course do fish, and this particular one, the central Rouge River and the Little Rouge Creek, already protected, are existing and potential migratory Salmonidae net fishery areas, so fish pass through there too.

Also protected we have, in that same area, the Whitby formation, with the fossils associated with it. I know, Mr Speaker, how interested you are in geology, and these particular shales are very important, of very high significance in the province, and they are already protected.

I could say similar things about the Rouge River-Finch meander and Morningside creek

area. Similarly for deer, again for the red-shouldered hawk and for fish migrations, already protected, and we know how important they are environmentally.

Someone said: "Why more study? Why not make this a provincial park?" In fact, the member for Mississauga South said, "Make it a provincial park." You know, Mr Speaker, as do I, that there is a variety of provincial parks. In fact, there are six major types, and each of those types, like the conservation authorities, is a special way of protecting a part of our environment.

We have, for example, wilderness parks, like Quetico Provincial Park or Polar Bear Provincial Park. They are special parks without trails, specially designated so that people can truly get into the wilderness. Is that what we want here? Do we want trails and do we want people to see these rare species?

We have nature reserve parks for people who want to view natural land forms. I just mentioned these important shales. People actually want to see them. There are 68 nature reserve parks for the very special purpose of preserving natural features; not so much for tourists, but for preserving them.

One of the members mentioned archeological sites. We have historical provincial parks. They are specially designated for historical purposes. Is this what we want here?

We have also natural environment parks and waterway parks.

The study is necessary in order that when we do preserve these features which the member for Mississauga South is so rightly interested in, we do it properly and we have a plan which will last not just for a few years, facing up to the development that is going on around these areas, but which will last truly for generations and centuries.

I would say this: (1) large amounts of these lands are already protected; (2) the government is examining a number of management options—and so it should—including options of the provincial park nature; and (3) as my colleagues have said, this government is committed to preserve the Rouge.

Ms Bryden: I am very pleased to join in this debate. It is a historic debate on our most unique natural resource and wilderness area in the province, I would say, and is certainly very important to the people of Metropolitan Toronto and beyond.

I have visited the Rouge Valley and the lands around it on many occasions and I know what an important place it is for the conservation and

protection of our wildlife, our migratory bird routes, our fish-spawning streams, our opportunities to see deer close to the city of Toronto. It is also a very rich archeological and cultural heritage part of our area, having many remnants of early settlers in this area and many remnants of the native people who moved into the area.

1700

It is absolutely incredible to think that any government would consider building six- to eight-lane speedways through this area or even close to it. You have to think what that kind of traffic would do to the natural wildlife and the uses of people who want to get into a wilderness area and all the flora and fauna that have developed there. It would absolutely make it impossible for most of those things to continue to exist because the streams would be polluted, the roads would be noisy, the salt from the roads would be flowing into the streams and there would be a great disruption of the area.

So I think any government that is looking at marrying this kind of an area with eight-lane or six-lane highways needs its head examined. You just cannot do it. I am afraid that one of the problems in this area is that the former Minister of Transportation, the member for Scarborough East has been promoting outdated highway plans for providing road access to this area. I understand that when he was a member of the Scarborough council, before he was elected to this House, he opposed any highway development through the area. He was aware that it would destroy this beautiful wilderness area and that it would destroy the famous stand of Carolinian trees there, and that stand is one of the really unique things in Ontario. There are only a few of them left in the whole of Canada. I have seen a video which shows that not only the Carolinian forests are being cut down there by developers, but also 100-year-old oak trees, which are worth thousands of dollars per square foot, are being cut down. For what are they being cut down? For luxury homes and for space around those luxury homes.

Any government that considers that it can match and marry its mandate to preserve this priceless wilderness area with letting developers build huge estates and homes with an acre, an acre and a half, or two acres of land surrounding them, is really asking for criticism. A government which allows this is forfeiting the support of the people who believe that a government has a mandate to preserve forests of this sort for future generations. It has a mandate to preserve areas of this sort for the present recreational needs of the

thousands of people in this area, particularly with all the new people moving into Toronto and region.

It has a mandate to preserve both the tablelands and the valley. As my colleague mentioned, I think the motion should have included the words, "preservation of the tablelands" because the tablelands are where you can put the recreational developments. The tablelands are where you can put a multiple-use park which will provide for both active and passive recreation, and the tablelands are what will form the barrier to intrusion in this wilderness area.

So I am really surprised that during the three years when I was the critic for Transportation that the Minister of Transportation never changed his plans to try and put a road through part of the tableland and adjacent to the valley, a road which would link Highway 404 and the proposed Highway 407. Highway 407 is still one of the gleams in the eye of the government, but to try to connect those two right through the sensitive area that comprises this tableland and valley land would be extremely disadvantageous to the area and would really reduce its opportunity to serve the people and the future generations of this province.

As Mr Crombie, the royal commissioner on planning for the future of the Metropolitan area summed it up so well, this area has 16 environmentally sensitive areas. Let me just read to members a little of what he said in his report. David Crombie in his interim report of August 1989 said:

"Protection of the Rouge Valley and adjacent tablelands would be the benchmark to guide restoration of other river valleys such as the Don or the Humber. Conversely, if strong action is not taken now to remove threats to the Rouge, it could deteriorate to the state of the other two.

"The Rouge Valley has an impressive environmental profile: it contains many rare species, valuable fish spawning grounds, a major bird migratory route, a provincially significant wetland, Metro's largest remaining continuous forest, 16 environmentally significant areas," as I mentioned.

For those reasons, the Rouge Valley should be considered very important politically to any government that recognizes that the majority of the population of this province puts pollution control and environmental conservation as its first priorities.

The government must recognize that it is not just a minor issue. Last May, the support group that is trying to mobilize public opinion in favour

of the Rouge Valley system and in favour of protecting it had literally thousands of people come out to its May moveathon. These people indicated their support for preserving and protecting the Rouge Valley and its tablelands.

In fact, governments at all levels—federal, provincial, municipal and regional—have all expressed support for what appears to be the only solution, and the only solution to this problem of protecting unique areas such as this appears to be the establishment of a federal-provincial national heritage park.

Even the Premier has given lipservice to such an idea. The federal government has given not much more than lipservice with a very small grant. All levels in this region, all the provincial governments, the regional governments and various ratepayers associations such as the Coalition of Scarborough Community Associations have all said this is the only answer to protecting this area.

1710

Why is the Minister of Transportation still sticking to his outdated plans and not planning a new and alternative route for that link between Highway 404 and Highway 407?

It looks to me as if he has done what too many of the members of the government opposite are doing. They are getting into bed with the developers. They are finding that they can accommodate or think they can accommodate developers in this priceless land and still keep their transportation systems available to permit the developers to expand even further.

In the last two or three years, under this Liberal government, some developers have obtained land in the tablelands around the valley. They are building \$1-million and \$1.5-million homes and estates. Once they have the land under their control they can do what they want with it. They never should have been let in in the first place.

There must be a stop to this kind of alienation of the tablelands, but we do not see any signs of it from the Liberal government. Mr Crombie put a stop on the waterfront lands and I think he would go along with a stop on the development of the tablelands in the valley.

If we are going to have any sort of proper land use development in this area, the province has to take its responsibility and help to develop a plan that will suit all the groups that are concerned, but we do not see any sign of that planning from the government and we certainly did not see it from the former Minister of Transportation.

The new Minister of Transportation, the member for Windsor-Sandwich (Mr Wrye), also

has not indicated any desire or willingness to sit down and do this kind of planning for the area in the transportation field. That is what he should be doing in his new portfolio.

He should be trying to find an alternative route for that connecting link and he should be looking very closely at that connecting link that the member for Scarborough East (Mr Fulton) was promoting, because it was not just to be a connecting link between 404 and 407; it was planned as a possible northern development beyond the Rouge Valley for further development, to make it more profitable for developers to buy up land there—many of them have already bought up land there—and to provide them with road access to their developments when they get them completed.

Again, it indicates very clearly to us on this side that the Liberal government is tied in with developers and gives them first priority on our very precious, environmentally sensitive land and our very precious agricultural land.

We in the city of Toronto and in Metropolitan Toronto feel that our heritage is being eroded by this kind of policy. We do not see any overall provincial plan or joint plan of all the governments in the area. This is what is making people very concerned about the kind of government we seem to have got since the Liberals took over. We had hoped there would be a new look at the planning process and a new look at seeing needs are met for recreation, for affordable housing and for the development of our unique resources.

Time is running out and we hope that by the conclusion of this debate, we will have convinced all the ministers who are concerned with this plan that they should go back to the drawing board and start to provide us with a plan that will enable all the users of this land to enjoy its benefits. This is what we hope the result of this debate will be.

I would like to congratulate the member for Mississauga South (Mrs Marland) for bringing the motion forward to get us talking about it again, but we do think we should put in the tablelands as well as the valley lands.

I hope we will get the message across to the Liberal government that it has a long way to go if it is going to get any reputation for preserving the environment and for protecting our valuable forest and resource land in this province.

Mr Faubert: I am delighted to again rise to speak on the importance of preserving the Rouge lands. I believe the member for Mississauga South has performed a service by bringing forward this resolution today, and in spite of its

weaknesses and some of its errors in wording, I think it is worthy of support.

I believe that the issue is of such importance—

Hon Mr Bradley: She is supporting our position.

Mr Faubert: Okay, she is supporting our position; we will put that forth.

I believe this issue is of such importance that it transcends partisan views and interests. I personally will continue to support every effort to ensure that the Rouge is preserved for future generations.

Last June, on the resolution by the member for Markham, people have asked, "What was your position on that?" I clearly put forward my very clear position and said, "I can assure the member for Markham"—I am reading from Hansard of that date—"and all members of the Legislature that I would be opposed to any proposal, be it a dump, housing or a freeway," that would violate directly this government's direction and its direct commitment to preserve the Rouge Valley."

The interesting thing is that when I consider the environmental, historical, cultural and archaeological significance of these lands, I do not hesitate to advise the House, as I pointed out, that I would not support any such initiative. Fortunately, my views are supported by the Minister of the Environment and indeed by the Premier, who time and time again have assured this House and the people of Ontario of their commitment to save the Rouge.

In response to a question that was raised in the Legislature the Premier responded: "We have said from the beginning and will continue to say that the Rouge will be preserved. Lest there be any misunderstanding, the Rouge will be preserved."

That being said, I would like to turn to the resolution before us. It is unfortunate, because amendments should be made but under standing order 42(d) obviously you cannot amend a motion that is put forward on this. The motion must stand on its own merits.

Mr Curling: We cannot even improve it.

Mr Faubert: We cannot even improve it. I know there are flaws. Perhaps they come from a lack of knowledge or just a quick drafting of it or a combination of the two, but I think they are significant.

Hon Mr Bradley: It is hard to draft it and run to catch the bandwagon.

Mr Faubert: That is right.

The Deputy Speaker: Order, please.

Mr Faubert: On many occasions I have met with the Save the Rouge Valley representatives and I have had the pleasure of presenting resolutions and petitions that they have put together on their behalf. As well, they have a reasonable position that has been supported by the Coalition of Scarborough Community Associations. Their goal is to preserve the Rouge lands and to ensure they are preserved and protected. They are to be commended for that goal.

It is a goal that I know is shared by our Premier and endorsed by this government and I believe it is a goal that this resolution is attempting to achieve. However, the resolution as it is worded falls somewhat short of the goal because I know that anyone who has ever stepped foot in the Rouge will know that you cannot just declare the Rouge Valley to be a provincial park, for that would be disastrous to the long-term survival of the Rouge tablelands. If the sensitive areas of the tablelands, and indeed the full upstream watershed, are destroyed or left unprotected, then the Rouge Valley itself would surely be threatened and clearly this would be unacceptable.

1720

I believe the proposal put forward by the Save the Rouge Valley System representatives is a valid one and my personal position is to preserve as large a park area as is being proposed and as large a park area as is feasible.

Once again, I would point out, in response to the member for Scarborough West (Mr R. F. Johnston), and indeed the member for Beaches-Woodbine (Ms Bryden), who just love to bring the conspiracy of the development interests into this argument, where I stand on this issue. I would point out, as I also pointed out in the Hansard of 22 June, that there are clear alternatives being proposed to the east Metro transportation corridor and I think those are the options that are under examination now and those are the options that indeed should be supported.

Mr Villeneuve: Those were Ed Fulton's, were they?

Mr Faubert: They were not the former minister's.

Mr Mahoney: Be nice.

Mr Faubert: I am trying to be nice. Okay.

As outlined by the member for Peterborough (Mr Adams), one of the great difficulties we have here is whether this resolution locks the provincial government into a provincial park when there are many other alternatives that could be put forward. There could be a joint national-

provincial park, which warrants consideration. There could be some form of joint provincial-Metro park. There could be such thing as a park trust. All these not only have to be examined; these very clearly have to be negotiated.

The member for Mississauga South, in her press conference this morning, claimed that the provincial government can unilaterally create a park without any further consultation with the affected municipalities. I would like to point out one of the great problems that we have, in spite of the statement of the member for Mississauga South. She said that Metro has spoken on it. There is an official plan amendment from the city of Scarborough, of November 1988, and there is a clear statement opposed to the Metro transportation corridor, of 1987, and on those there is no action yet by the Metropolitan government. I am quite surprised that someone would say that we should move ahead unilaterally without hearing from the region that is most affected by this. Clearly the planning authorities lie with the local councils, which have made their position very clear, but also with the regional governments.

What about the regions of Durham and York? They have not yet commented, in spite of the proposal put forward. Markham has put forward a resolution, but its resolution clearly leaves a lot to be desired because it is only talking about a very minor buffer zone related to this.

Mr D. S. Cooke: What is your position, Frank?

Mr Curling: He told you.

Mr Faubert: I told the member; unfortunately, he was not in the House at the time.

Mr D. S. Cooke: I heard you, but I didn't—

The Deputy Speaker: Order, please.

Mr Faubert: I said that this decision is too important and should be removed from the arena of partisan gamesmanship. I can agree with some of the statements put forward on the necessity of preserving the Rouge, and even on some of the positions put forward by the member for Scarborough West, but I would point out that we must understand that there are many options to be examined within this.

One thing I want to put on the record while I have a chance is the comment related to the \$10 million from the federal government. Actually, the value of the lands in the Rouge is estimated, and I will say this, conservatively at \$2.4 billion, and when you put it in that perspective, one can see that the \$10 million offered by the federal government makes a nice down payment on some form of intergovernmental co-operation on

the development of a park. But they keep telling us, "The cheque is in the mail."

Mr D. S. Cooke: How is that relevant?

Mr Faubert: I think it is very relevant, because everyone keeps talking about the aspect of how the federal government has already encouraged this.

In closing—I would like to leave a little time for the member for Mississauga West (Mr Mahoney)—I would like to encourage members of this House to support the resolution.

Mr Breagh: A long time ago, before I came to this place, I served on the Central Lake Ontario Conservation Authority. At that time, we were just beginning to have a thing called a region of Durham. Much of what was presented to us was to try to establish, from a planning point of view, a distinct region, not one that was part of Metropolitan Toronto but one that would stand by itself, where people could see a distinct difference in reality, not in theory, not in plan but in reality, as you left the region known as Metropolitan Toronto and entered a region called Durham. Much pressure in fact was put on the region at that time to try to establish those things which would make it clearly a different planning area.

I recall that on the conservation authority and the regional council we did an inventory of the number of projects that were being proposed at that time by different levels of government that would have an impact on that concept. At that time, our list ran to about 95 different proposals by different levels of government that would make it very difficult to create a separate entity called the region of Durham, but in our cataloguing of what was happening there were also several things that stood out as being clearly worth preserving. One of those was the Rouge Valley.

There was not a need to examine or determine precisely what kind of acreage was involved in that, there was not a need to establish what kind of wildlife would be preserved, there was not a need to establish whether there was a crying need to have a provincial park, but there were several things that became very obvious to all of us who were concerned. We had at that time reached a critical stage. It is now almost two decades later, so the crisis is perhaps a little more pronounced. We still have, and this is the amazing thing that I find, a chance. The question is whether governments at all levels are prepared to do what they know ought to be done. It is not really apparent yet that they are. That is the tragedy of it all.

I have listened to the debate this afternoon and it has been an interesting one. Here is my version of who did what. I think that the previous government, to give it some credit, did some things, got it started in a way that was critical at the time. It set up a notion of conservation authorities, which I thought, having served on one, was a good idea. I was impressed with the work that Metro did, that the Central Lake Ontario Conservation Authority did and that several others have done since then. I am chagrined at some of the work that is being done by conservation authorities these days.

I would like to know why a number of conservation authorities are selling off land that they bought with public funds—and they made the argument at the time—because they were lands that were critical to the preservation of conservation in Ontario. That is why they purchased those properties. They did so with public funds and I supported that motion. Now I find conservation authorities, including the one on which I served, proposing to sell off land for development. That does not work, in my view.

If a conservation authority decided some years ago that it was a reasonable thing to do to spend public money to acquire property because of its sensitive nature, its nature is still as sensitive now. Of all the things that we set out to do with conservation authorities, and there are a lot of valid jobs put on their backs and I know the financial problem they have got, it was not to address other needs in our community. The reason for a special purpose agency is clear: to conserve and to protect those things that, if we lose them now, we cannot get back. That is what this process is about.

Two decades ago, in my mind it was clear that the Rouge Valley—all of it, almost 11,000 acres near one of our largest urban centres in Canada—needed to be preserved in total. No weaseling around the edges, no consideration of it for other purposes—in total. It was clear to me then, as it is clear to me now. This is not the place to talk about building roads, not here. This is not a place to talk about solving other problems that we have, not here. This is not a place that we can ever get back. If it goes, it is gone for ever and there are no replacements available.

1730

There are some, I know, who will argue that, "We'll build land spits out into Lake Ontario and if people want to see fish they can go out there," or "We'll conduct guided tours along the lake," or, "We'll show them photographs of different birds and animals and trees, so they can see that,"

or I suppose we are not far now from somebody actually suggesting that the province of Ontario pave the Rouge Valley one day and then build a Rouge Valley the next day. It is almost technically possible to do that these days, that someone will come up with a domed-stadium concept for the environment and in that huge domed stadium will be preserved all of the animals that are living free now in the Rouge Valley. We are about a step away from that kind of stupidity.

The reason I say we are a step away—I hope we are not there yet—is that I see that in other jurisdictions which have unilaterally and stupidly destroyed their environment and now perhaps feel guilty about it and are trying to re-create the environment, someplace where the little kiddies can go to actually see what a bird looks like, someplace where they can see what other tropical animals look like, some laboratory where they can go and see what a tree is like. It might be a matter of necessity in some other jurisdictions to do that. They do not have the options that we have.

It is remarkable—this is something that strikes me a lot—that adjacent to a city like Metropolitan Toronto there is a site like the Rouge Valley. I find it absolutely remarkable that through everything mankind has tried to do to our environment, it resists. It has fought off pollution of all kinds, it has fought off governments of all kinds, it has fought off every stupid proposal that people could ever think of. It is still there.

If you want to see what might be there, do not go all the way to the Rouge Valley, just go to the Don Valley. Take a look at that valley, which is not dissimilar to the Rouge, and see what mankind has done for it. Take a look at the water that is there. For God's sake, do not try to drink it, do not try to have anything live in it, but just smell the stink of that water and you will see what people are talking about here. See what it is like to build an expressway up a valley system, see what happens with it. See what happens when you permit the encroachment of housing on to a valley system. It is all there. If you want to compare the two things, you do not even have to leave the boundaries of Metropolitan Toronto. You can look at the Don Valley, you can look over at the Humber River site and you can see what a big city environment does to nature. It cripples it, it kills it.

We are now beginning to think about trying to recover things like the Don Valley. It would be a great asset, I admit, it would be an invaluable thing for our society if we could use all of this

technology that for years and years has destroyed the environment around us to recover it. But I have no illusions that anybody is going to save the Don River system without spending billions of tax dollars to do so. I am one of those who would say that is a worthwhile expenditure, but it sure is expensive. Why, in God's name, would you move a few miles further east and allow the destruction of the kind of site that is there in the Rouge River system now when it will not cost a dime to say no? It will simply take political will to say no.

I have been in politics long enough to listen to the discussions that make building a road system through this kind of site eminently reasonable. All I am saying and others are saying now is fine, people have a right to their opinion, but it is our responsibility to ourselves and to the people we represent to protect those things around us that are worth protecting, like this site. Now is the only time in the history of the world when we can protect that site for absolutely no dollars. All it takes is brains and the political fortitude to say no. If people talk to the government about the need for a transportation system, as I do regularly, I do not mean build a road through this valley or intruding on the valley or intruding on the tablelands, because it does not have to do that. This government and the previous government ought to know those things. That is why they are governments.

I harangued this government, as I did the previous government, about the need for affordable housing. It is a crime that people are living this winter in this city in cardboard boxes, but they are. But the government is not going to help them out by destroying the Rouge River system, and it should not confuse the two. There is a crying need for affordable housing, but do not anybody be so stupid as to think that the kind of mansions that are built near the Rouge system now are affordable housing. They are not by anybody's standards. Nor should the Rouge be the private preserve of those who happen to be fortunate enough to live near it. It should be—and it is now—in public hands.

Here is the tragedy of what is being discussed in this chamber this afternoon. We are not talking about some big ogre of a private company destroying a system. We are not talking about spending billions of tax dollars to reclaim this land system. We are not even talking this afternoon of having to spend millions and millions of dollars to buy the land and put it in public hands. Those things are all not up for consideration. We own, by and large, the site

now. It has withstood the purge of development for a long time. All we have to do is say: "That is because that is exactly what we wanted to happen there. That is because that is exactly the kind of site we wanted to keep. That is because we understand the fragile nature of our environment." If we do, let's just stop a little of the advertising program about the environment. If you need money somewhere else, take it out of there. Let's take our children out to the Rouge and let them see what is already there. Let's not build them a domed stadium about the environment. Let's use the one that is already there.

So for 20 years many of us on all sides of the chamber, I hope, have been concerned about this valley system and have been aware of the value of it. It is in public ownership now. The irony, of course, is that it is not being threatened by some evil conglomerate from Philadelphia; it is being threatened by us at all levels.

All it takes to stop this nonsense is for us in politics at the municipal, regional, provincial and federal levels to say: "Hold it. We have made a lot of really stupid errors in our lifetime over things that have been done that should not have happened, and we have learned from the Don Valley, we have learned from our past political mistakes not to make them again." Let's go and make some new political mistakes. Let's at least be creative about it, and let us do what this motion calls for us to do this afternoon. Stop haggling around the edges. Stop complaining about whether it is 4,000, 5,000, 10,000 or how many acres. We know that. Stop arguing about the value of it, stop arguing about who has influence over what.

This is something that ought to transcend the differences in all of the political parties and it ought to transcend the differences at all levels of politics, because it is a basic thing. It is about the survival of this planet. It can be done and it should be done. The tragedy is that it remains to be seen whether it will be done. That is part of our decision.

Mr Mahoney: I am very pleased, in the short time I have, to tell the member for Mississauga South that this is the first time, I think, since about 1984 that we will wind up on the same side of an issue.

Mr D. S. Cooke: Now she knows for sure she has worded the motion wrongly.

1740

Mr Mahoney: That was actually my point. The fact that it allows some members on this side of the House to vote for it probably means that it was not worded in the fashion of condemning the

government for doing something that would force us not to support it.

I have a concern though. Mr Speaker, you will know that the member for Mississauga South is wearing this T-shirt which is very nice and says, "Save the Rouge Valley System," but I am concerned about what it says on the back. I think she has a new image: "Wild in the City." I am a little concerned, and it is a little scary.

Mr D. S. Cooke: I guess you do not know her then.

Mr Mahoney: Oh, I know her quite well, but "Wild in the City" would not be my description.

I would like to say I am supportive of the resolution. It is funny, actually, how I find that the opposition cannot take yes for an answer. We have had people standing up here saying that they support the intent, saying they support the motion. We have government saying that it is prepared to save the Rouge, and yet we hear all these protests. I mean, they simply cannot take yes for an answer, and I do not quite understand that.

I would like to put a few comments on the record in the short time that I have. The Premier announced recently four steps that this government will take. The first, the Minister of Municipal Affairs (Mr Sweeney) has declared a provincial interest under the Planning Act in the lands and water lots in the area bounded by Yonge Street, Lakeshore Boulevard, Ashbridges Bay and the lake, not including the Tommy Thompson Park, which is already the subject of an environmental assessment. This declaration will allow the province to prevent any major development in the area until it can be determined what is appropriate for the people and for the environment.

The government has endorsed the interim report of the Royal Commission on the Future of the Toronto Waterfront. We have given David Crombie a mandate to report to the province on waterfront development issues along the entire western basin of Lake Ontario from the eastern boundary of Durham region to the western boundary of Halton. The province agrees with the royal commission's recommendation to undertake an environmental evaluation of lands owned by the Toronto Harbour Commission and adjacent provincial lands in the area between Yonge Street and Ashbridges Bay.

The government has asked the commission to recommend ways of linking and integrating the waterfront to the upstream watershed through the greater Toronto area, and Mr Crombie has said on numerous occasions and I quote: "I have said

on numerous occasions that no one level of government alone can solve all the issues related to the development of the waterfront in the public interest. This new provincial mandate added to the federal mandate is a very strong signal of federal-provincial co-operation on these matters."

People are saying it is not the Rouge. Clearly it is government policy. We have said it about the Rouge, and we are going further than that in trying to identify concerns of waterfront issues. In fact, the member for St Andrew-St Patrick has been appointed by the Premier to develop greater Toronto greenlands strategy. He will identify plans to protect in perpetuity the river valleys, the headwaters of Lake Ontario in the GTA, and he will make recommendations in co-operation with the royal commission.

The Premier has said he expects him to recommend a greening strategy to protect the natural landscape along the waterways from Oak Ridges Marine to the lake. I have heard the member for Scarborough-Ellesmere (Mr Faubert) very eloquently and clearly put his position on the record. I think the government's position is clear and I am in support of the member's motion.

Mr Brandt: I welcome this opportunity to make some comments with respect to the motion put forward by my colleague the member for Mississauga South and I want to say without any equivocation whatever that this motion is, in fact, supported 100 per cent by every member of our party and hopefully will be supported by all of the members of the Legislative Assembly.

Let me make the point at the outset in response to the member for Mississauga West (Mr Mahoney), who says that the members of our party and in particular my colleague the member for Mississauga South cannot take yes for an answer. The reality is we want to make sure that when the members opposite say yes, they say yes in fact to the preservation of the Rouge Valley lands as we want to preserve them: in a pristine state and without the type of development that may encroach or may be negotiated or may in fact be part and parcel of the thinking of some members over there who would want to perhaps alter, amend or change this resolution to satisfy their own needs or the direction in which they may wish to go at some future point.

We want to be very specific about the fact that the Rouge lands, all 10,700 acres, should be preserved against the kind of development that has been spoken about so eloquently by many other speakers.

Let me say that when we discussed this whole question of why this particular sensitive parcel of land should be retained in perpetuity as a provincial park, it really in fact centres on a key point that I want every member of this Legislature to think about for just a few moments, and that is: What kind of a legacy do we as members of the provincial Legislature of Ontario want to leave for our children? Do we in fact want to leave another road? Do we want to leave another municipal landfill site? Do we want to leave a few dozen homes that someone can point to as having encroached on this particular parcel of land? Is that in fact the legacy that we are talking about? I think not.

Quite frankly, I think if you were to look into the heart of hearts of the members who sit around this assembly, they would say that this very critically sensitive piece of land should be preserved for the future generations of not only the people of Metropolitan Toronto but the people of all of Ontario, and, I might say, people from across Canada as well.

Certainly the members of my party believe in the need for, and the requirement of, the government to be involved in the development of low-cost housing. But that is not what is going to occur if the Rouge is allowed to be developed on these particular lands. We know full well that low-cost housing will not be in fact part of those developments. They will be very large and very expensive homes. We know as well that our transportation problems, which are in fact very severe in the Metro area, are not going to be solved by plowing another roadway through these particular lands, and we know as well that the solution to the garbage crisis in the Metro Toronto area is in fact not going to be solved by using the Rouge as a dump site.

So I want to say that the reason I want to speak as forcefully as I can in connection with this particular question is that the Rouge lands are in fact unique. If we accept that in our own minds, if we understand that to be the case, then we realize that the fight is to not allow development in that particular area.

The Rouge lands are in fact an oasis of wilderness in the city that cannot be duplicated or replaced. We cannot simply shift this particular parcel of land somewhere else as we might be able to a building lot or we might be able to in terms of a municipal landfill site or in fact a road. Those things can be shifted. The Rouge lands cannot be shifted.

Once we build either houses or roads or a transportation system in any way that will be

disruptive to the Rouge, I tell members, we can never ever reclaim those lands again. That is the problem. Once gone, they are lost for ever.

In the limited time that is available to me, let me ask the members of this assembly to go back in their own minds to the year 1975. In 1975, the government of the day made a commitment to the environment of tomorrow. They made a commitment to the ecosystem of this province and particularly in the most populated area of the province with the greatest growth pressures. They said by the purchase of these lands at this particular time we will in fact preserve a piece of our environment for the future of our citizens of today and our children of tomorrow.

If members look back at the climate of 1975, and as one who has served in the capacity of Minister of the Environment for the province of Ontario for two years, I want to say to them that with each passing year that I have been associated with this question of environmental issues, there has been a better understanding; there has been a clear appreciation and a more sensitive feeling, if you will, for environmental questions because we frankly know more about it today.

We know the destruction that has been brought about by various societies in the past and we understand full well that we cannot simply rewind the clock and turn it back. It cannot happen that way. That is why we have landfill sites today that have to be dealt with, that is why we have rivers that are polluted and that is why we have various environmental problems that have to be dealt with, I say to the Chairman of the Management Board of Cabinet (Mr Elston), by jurisdictions right across North America and, frankly, right across the world.

1750

The minister should not point his finger, because in 1975 the most progressive environmental step perhaps ever taken by the province of Ontario was taken by a Conservative government, and it was taken at that time, I say to my friends, in an attempt to put us in a position where we could make today, in 1989, a very intelligent decision, an intelligent decision which is based not on the cost, I might add, of purchasing these lands but simply on the cost of preserving these lands.

The government at least has an issue here that it can deal with in a fundamentally sound way, which is also a way in which the environment is truly and completely and fully recognized.

It is easy to point fingers, as members of the government are wont to do on occasion. It is easy

to condemn others and perhaps to take what may be the easy way out, but I say to the members that the government today has an opportunity to act. The government has a responsibility to act, to fulfil the commitment made by a previous government in 1975.

There was no intention in 1975, as the members know full well, to allow for the development of that 10,700 acres. There was no intention at that time to simply watch the Rouge Valley paced off for various types of other activities.

David Suzuki said with respect to the Rouge that areas like the Rouge are beyond price, and I agree. To purchase those lands today on the part of this provincial government would be an absolutely overwhelming amount of money. The decision, in fact, would be extremely difficult.

But has this government acted? Has it in fact picked up the gauntlet from those who came before it? Has it moved forward environmentally to recognize the very sensitive nature of these particular lands? No, it has not. I say to the members very directly, supporting this resolution is only the first step. The next step is the commitment.

Where do we stand with respect to the federal government on this issue? I am going to be somewhat critical of my federal colleagues with respect to the commitment made to date of \$10 million, because I have been asked by those who recognize that a commitment to preserve the Rouge is a commitment to spend dollars on the environment of the future if the \$10 million is sufficient. I say to my friends opposite a resounding no, it is not enough.

I will go to bat with the federal government and I will fight on this government's side to get more money to be put into the Rouge because we, collectively, have to have a commitment to that particular parcel of land.

Mr South: Andy for leader.

The Deputy Speaker: Order, please.

Mr Brandt: But if the government is going to use the inadequacy of the \$10 million as a means of ducking the principal issue before us, then I have to say that is the coward's way out. If I were in the government at this particular point in time, there would be no question whatever in my mind about the preservation of the Rouge.

Hon Mr Elston: Can this be 13 May 1990? It looks like he's warming up for 13 May 1990.

The Deputy Speaker: Order, please.

Mr Brandt: There would be no question that I would join hands with the federal government

and march forward at this point with \$10 million today and hopefully another \$10 million tomorrow, or whatever it takes.

Hon Mr Elston: They are going backwards. Every time you turn around, those guys are cutting off another program.

The Deputy Speaker: Order.

Mr Brandt: It must be feeding time over there. I notice the hour is getting close to six o'clock and some of the members are agitated. Maybe they are agitated because they do not like hearing the truth. The truth is, I have to tell members, the government has made no commitment. It has done nothing other than give lipservice to the preservation of the most environmentally sensitive and important piece of

land in the entire Metro area, if not in the entire province of Ontario.

Now is the time to act, not just talk.

Hon Mr Elston: That's leadership talk if I've ever heard it.

Mr Curling: I hope you're running.

Hon Mr Bradley: Andy, I'm going to send a cheque after that.

Mr Brandt: I happen to have one right here.

The Deputy Speaker: Order. Order. This completes the debate on Mrs Marland's opposition day resolution.

Motion agreed to.

The House adjourned at 1757.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

REGIONAL GERIATRIC PROGRAM

89. Mr Eves: Would the Minister of Health detail the progress of the five regional geriatric units which were announced on 2 June 1986, including funding allocations and programs offered? [Tabled 4 May 1989]

Hon Mrs Caplan: Three of the five regional geriatric programs have been designated in Ottawa, Hamilton and Metro Toronto, for a total of \$8.13 million operating funding in 1989-90, increasing to \$11.24 million in 1991-92 as Metro Toronto becomes fully operational. By 1991-92, total operating funding will be \$2.77 million in Ottawa, \$2.59 million in Hamilton and \$5.88 million in Metro Toronto.

The London and Kingston regional geriatric proposals are currently in the final stages of review and discussion with the ministry.

Each regional geriatric program provides specialized and multidisciplinary assessment in four different settings: inpatient units, day hospitals, outpatient clinics and outreach assessment in the community. These programs are intended for frail elderly people with multiple and complex health problems and the potential for improvement from rehabilitation services.

PREMIER'S COUNCIL ON HEALTH STRATEGY

94. Mr Eves: Would the Premier provide details of the budget of the Premier's Council on Health Strategy? [Tabled 4 May 1989]

Hon Mrs Caplan: The 1989-90 approved budget of the Premier's Council on Health Strategy is as follows: salaries and wages, \$200,100; benefits, \$33,200; transportation and communications, \$60,900; services, \$282,400; supplies and equipment, \$80,000; total, \$656,600.

HOME CARE

250. Mrs Cunningham: Would the Minister of Community and Social Services table a list of the number of people, by municipality, waiting to access the integrated homemaker program? [Tabled 4 July 1989]

Hon Mr Beer: As of 24 October 1989, the waiting lists for the 18 sites of the integrated homemaker program are as follows: Porcupine-Cochrane, 0; Huron county, 0; Leeds, Grenville and Lanark, 40; Parry Sound, 0; Thunder Bay, 0; Waterloo region, 0; Algoma, 80; Brant county,

0; Grey-Bruce, 0; Haliburton, Kawartha and Pine Ridge, 25; Middlesex-London, 49; Ottawa-Carleton, 6; Oxford county, 0; Perth county, 0; Peterborough county-city, 0; Renfrew county, 28; eastern Ontario, 0; borough of East York, 0.

The programs indicate their waiting lists are partly attributable to anticipated shortages of homemakers and nonadmission of lower-priority clients who do not clearly meet eligibility guidelines for IHP.

GOVERNMENT ADVERTISING

273 Mr Runciman: Would the Minister of Consumer and Commercial Relations provide a breakdown of the cost of inserting 150,000 copies of the brochure "Shop smart...it pays, a consumer gold mine" that appeared in newspapers of six different languages during the first week of March, with a list of the papers and the cost of advertising in each? [Tabled 10 July 1989]

Hon Mr Sorbara: Insertions of approximately 150,000 copies of the brochure "Shop smart...it pays, a consumer gold mine" appeared in newspapers in six different languages during the first week of March 1989.

The distribution costs were as follows: Italian, \$3,200; Portuguese, \$1,998; Greek, \$845.50; Spanish, \$939.60; Chinese, \$1,634; English (West Indian), \$1,000; distribution house, \$600; service charges (agency record), \$1,803.32; total, \$12,020.42.

There were no advertising costs in relation to this insertion/distribution campaign, as it was simply a matter of having the material inserted for delivery along with the newspaper.

A list of papers which received the insertion follows:

Chinese: Chinese Express, Modern Times, Shing Wah Daily, Chin Cdn Daily, Capital Chinese, Living Times, Sing Tao News, World Journal.

Greek: Hell. Canadian Chronicle, Ta Nea-New World, Hellenic Ham., Hellenic News, Patrides.

Italian: Corr. Canadese, Corr. Illustrat, Lo Specchio, La Gazzetta, L'ora di Ott, Gazzetta Ital., Vita Italiana, Il Settimanale, Italics Illu, Donna Magazine, La Guida, Nuovo Mondo, Il Messaggero, Columbus Centre.

Portuguese: Correio Portugues, Portuguese Sun, Novo Mundo, Portuguese Cdn, Voice of Portugal, Portugal Illustrado.

Spanish: Nuevo Diario, Golazo, El Popular, Grafico, La Razon, Latinoamericano, Vision Hispano, Sigla.

English (W. Indies/Caribbean/black): Share, Contrast, Pride, Equality News, Spear Magazine, Indocarib, Carib Times, Spectrum, Inter-carib Times.

274. Mr Runciman: Would the Minister of Consumer and Commercial Relations indicate, by specific language, the number of return coupons received by his ministry in response to ads placed during the week of 21 February 1989? [Tabled 10 July 1989]

Hon Mr Sorbara: The number of return coupons received by this ministry in response to ads placed during the week of 21 February 1989 is listed as follows by language group: Italian, 34; Portuguese, 13; Greek, 30; Spanish, 113; Chinese, 581; English, 95; total, 866.

Overall the advertising campaign through the combined use of an advertisement with a coupon, a brochure inserted in newspapers, telephone and letters generated 3,388 requests for 40,679 pieces of consumer information materials.

RESPONSES TO PETITIONS

SCHOOL OPENING AND CLOSING EXERCISES

Sessional paper P-3, re Lord's Prayer.

Hon Mr Conway: On 23 September 1988, the Ontario Court of Appeal struck down subsection 28(1) of regulation 262 as an infringement of religious freedom under the Canadian Charter of Rights and Freedoms. The spirit of the decision was that in opening or closing exercises in public schools one religion must not be given a position of primacy and that the content of opening or closing exercises must reflect the multicultural realities and traditions of Ontario society.

The amendments which were announced by the former minister on 12 January 1989 allow opening or closing exercises to continue in Ontario public elementary and secondary schools in a manner consistent with the spirit of the court's ruling.

The amendments allow the Lord's Prayer to continue to have a place in opening or closing exercises as a reading. However, it may not be given a position of primacy and the collective recitation of a reading from a particular religious tradition can no longer be permitted, as such a practice is not in accordance with the Canadian Charter of Rights and Freedoms.

Where a board chooses to offer a balanced selection of readings drawn from secular and

scriptural writings, students will benefit from exposure to the social, moral and spiritual traditions representative of Ontario's multicultural society.

The public elementary and secondary schools of Ontario are open and accessible to all on an equal basis irrespective of creed. They are founded on the positive societal values which, in general, Canadians hold and regard as essential to the wellbeing of our society. These values transcend cultures and faiths, reinforce democratic rights and responsibilities and are based on a fundamental belief in the worth of all persons.

CHRONIC CARE

Sessional paper P-28, re chronic care hospital.

Hon Mrs Caplan: On 28 August, I announced the establishment of two committees to address long-term care issues in Windsor and Essex county.

The Windsor-Essex Long-Term Care Services Planning Committee will have the mandate of developing a long-term care services plan for Windsor-Essex which will address the following: the rationalization of chronic services in Windsor-Essex; the redevelopment of the Riverview Hospital; and the identification of the community-based services necessary to support the evolving long-term care services plan.

The Joint Ministry of Health/Riverview Program Planning Committee will co-ordinate the planning process leading to the start of construction of the Riverview Hospital based on the recommendations of the Windsor-Essex Long-Term Care Services Planning Committee.

COUNTY OF SIMCOE

Sessional paper P-32, re south Simcoe local government study

Hon Mr Sweeney: The south Simcoe local government study was initiated in November 1988 as a comprehensive approach to four active boundary adjustment applications in the area: Alliston-Tecumseth, Beeton-Tecumseth, Tottenham-Tecumseth and Bradford-West Gwillimbury.

My staff were directed to make recommendations on the best form of local government to deal with growth and development pressures in the area. A steering committee comprised of local elected and staff representatives was formed to provide advice and input.

Two optional forms of local government evolved during the process, and most of the steering committee members reached positions on one or the other. Alliston's preference

represents its position rather than a compromise as it is referred to in the petition. Another position, put forth by Tecumseth and Beeton, is to combine with Alliston and Tottenham into a single municipality. These options were presented as examples of possible local government structures at two public information meetings held in the area.

I am currently reviewing the facts as set out in the south Simcoe local government study. While a local solution to the issues facing south Simcoe would be desirable, ultimately it is my responsibility to ensure that appropriate municipal structures are in place for the harmonious growth, development and progress of our communities.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
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 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaitre, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
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Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Tuesday 21 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 November 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

COLLEGES OF APPLIED ARTS AND TECHNOLOGY

Mr Farnan: The province-wide labour dispute between community colleges and their striking faculty has been temporarily defused but is far from being resolved. It is true that community college teachers and students are back in the classroom. However, the underlying problems have yet to be addressed.

Ironically, the dispute was predicted five years ago by the Premier (Mr Peterson) when as Leader of the Opposition commenting on the 1984 community college teachers' strike he said in the Legislature:

"Everybody knew this was coming. I will make this prediction.... We are headed for a period of labour turmoil because of bad faith, inadequate funding policies and lack of sensitivity to the parties involved.... I believe a little infusion of fresh money plus some sensitivity on the minister's part would have solved this problem."

The Premier and this Liberal government were merely muttering words. How else can we explain that five years later the present government's college education policy continues to prevent the colleges and faculty from achieving any meaningful success with settling the three major issues of job security, salary and sick leave?

For a real and long-term resolution to this ongoing dispute, the provincial government has a leading role to play. This role involves setting the stage for the other players by eliminating the underlying cause of the problem: inadequate government funding. It is time the government made the funds available so that a proper, decent and fair resolution can be had.

ASSISTANCE TO FARMERS

Mr Villeneuve: Exactly two weeks ago, the Ontario Federation of Agriculture presented its annual brief to cabinet. That brief underlines what many farmers now feel, and that is that this

government has decided to ignore the needs of our farmers in Ontario.

The Ontario family farm interest rate reduction program was first announced by the Liberal Party as an emergency relief program. Today, real interest rates are higher than they were when the program was announced but OFFIRR has been cancelled. The outstanding farm debt has moved very little and there is an obvious need for some interest rate relief.

When the OFA meets next week at its annual convention, I hope the ministry will be able to announce a replacement program.

We also lack a food processing and development strategy. Given the Premier's doom-and-gloom statement of 1987, January 1989 was a little too late to begin work on his strategy. In fact, all this government has done to date has been to close the Ontario Centre for Farm Machinery and Food Processing Technology in Chatham.

Suitable, sustainable agriculture is another area that needs continued support. We have progressed steadily since 1983 and the Minister of Agriculture and Food (Mr Ramsay) should fight hard to keep the Treasurer (Mr R. F. Nixon) from slashing more programs.

The minister has initiated a planning process for the 1990s. The fact that it will not be in place until some time in 1990 shows that agriculture is an afterthought to this government. Ontario's agriculture is counting on the minister to deliver more than talk next week. I sure hope he does.

GREATER TORONTO AREA

Mr M. C. Ray: When the Greater Toronto Co-ordinating Committee meets—that is, when Gardner Church, deputy minister in charge of the office for the greater Toronto area, meets with regional chairmen—do they know what the impact of their assumptions, decisions and recommendations will be on my city of Windsor and all communities outside the greater Toronto area?

Who studies and assesses the impact of their decisions and recommendations on other areas in the province? Should the GTA be planned and developed in isolation from the rest of the province? Is it appropriate for the government to

undertake infrastructure planning for one area of the province in a manner different than it does for other areas?

I urge the government to promote the economic growth of all regions of the province to ensure that all regions share our prosperity and our provincial resources equitably. I urge the government to undertake infrastructure planning for the hinterland outside the GTA.

We in the hinterland need a Gardner Church of our own to supplement the activities of the new cabinet committee on housing and community development to plan our future needs and to protect our interest as this new government structure, the co-ordinating committee for the GTA, undertakes its yet unlegislated mandate.

SOCIAL INSURANCE

Mr Laughren: In the province of Ontario, when a worker gets injured on the job, that worker is compensated based on a legislated scale of benefits. When a person gets injured in a car accident, it is an entirely different level of benefits and in many cases it must go to court to determine the settlement.

What I have never understood is why it is that in a province such as Ontario we have a system of no-fault insurance for people injured on the job and an entirely different set of insurance for people who are injured in a car accident. It seems to me it is time that in this province we had a universal system of social insurance that compensates people regardless of where they are injured and irrespective of fault.

I hasten to add that if we move to such a program, of course we would have to have a level of benefits that was decent and that compensated people adequately. Certainly, the program of auto insurance that this government is talking about now is completely woefully inadequate.

What we need is a model such as they have in New Zealand, which is universal and where everyone is compensated when they are injured regardless of where the injury occurred and irrespective of fault.

AGRICULTURAL LAND

Mr J. M. Johnson: The government yesterday supported a resolution calling for the preservation of the Rouge Valley. That is quite interesting given the plans the Ministry of Transportation has for prime farm land in the Waterloo region.

The government plans to expropriate 33 hectares of farm land and 11 hectares of woodlot from 13 farms in the region in order to construct

a six-kilometre four-lane highway linking St Jacobs and Elmira. Rather than simply widening nearby Highway 86 to four lanes, which would be sensible, the government appears intent on destroying the rural character and flavour of the northern part of Waterloo region with an unwanted expressway.

This project will leave a sad array of fragmented farms and odd-shaped fields in its wake. It could split the area's Mennonite community in half or drive them out of Woolwich township altogether. Public meetings are to be held in the new year to examine the environmental impacts of the various options.

Given its position yesterday on the Rouge Valley, there is still time for this government to rethink its position on the development of Waterloo farm land. In the absence of the Premier (Mr Peterson), I would like the Deputy Premier and Treasurer (Mr R. F. Nixon) to give me an answer to the question: Prime farm land or asphalt, what is it going to be?

1340

LINCOLN COUNTY BOARD OF EDUCATION

Mr Dietsch: Mr Speaker, thank you for allowing me an opportunity to bring to the attention of this House the occasion of the 20th anniversary celebration of the Lincoln County Board of Education.

Last Monday, a ground-breaking ceremony and tree planting for the new education centre took place at Queen Mary School with excellent entertainment provided by a number of local elementary school children.

This past Thursday, further celebrations were held at the Polish Legion in St Catharines. Dinner, followed by Showcase '89, provided those in attendance with a very memorable evening.

Among the performers were the Laura Secord Secondary String Quartet, the Grimsby Concert Band, Grantham's Jazzfyre and the Oakridge Public School Choir. Niagara District Secondary School, which is Lincoln county's school for the performing arts, delighted the audience with its drama presentation of the movie Grease. The talents of the West Park Choristers and the East Collegiate Jazz Band were the perfect complement to the end of the evening.

It was indeed a pleasure to behold the talents of these students and to honour the system that has helped them develop their skills. I am sure all members of this House will want to joint with me in congratulating the Lincoln County Board of

Education—its trustees, staff and teachers—for its accomplishments and wish it every success for the continuing perfect education system.

ENVIRONMENTAL PROTECTION

Mr Farnan: Today I received a letter from one of my constituents, James Enright. He is very concerned about environmental issues and he questioned particularly the Ontario government's failure to protect the red and white pine old-growth forest stands in the Temagami area.

Mr Enright's letter was written on the rear of a letter he had received from Jake Epp. The postscript on his letter read: "Sorry about the reused paper and envelopes, but it is my way of putting conservation into practice. I hope your office and other government offices use recycled paper."

The news is not good, Mr Enright. This week I received two recent speeches by the Premier delivered while on tour in Italy. In extremely large print, double-spaced, the speeches are printed on one side of the paper and make use of about half the page. It covers 36 pages.

My legislative assistant informs me that using a normal type, single-spaced and on both sides of the paper, this speech could have been reproduced on six to seven pages maximum.

No doubt the speech of the Premier received widespread distribution. I do not intend to comment on the contents of this speech, but its packaging sends out a very poor environmental message to the citizens of Ontario. It is the James Enright and not the Premier who are the true leaders and role models when it comes to addressing environmental issues.

RECYCLING WEEK

Mrs Marland: This is Recycling Week in Ontario. I would like to say congratulations to the communities that have followed Mississauga's lead and begun blue box programs. Response across the province has been overwhelming in our efforts to reduce the amount of garbage going into landfills.

I hope Ontario's public servants will bring their recycling habits from home to the workplace. I was pleased to see that we have expanded our recycling program here in the Legislature.

I was, however, somewhat perplexed when I received my recycling containers. First, I received this white container. Of course I put it to use immediately. The next day the white containers were replaced in all the offices on my floor by these green containers. The only difference I can see between the two is that the

white ones have the Ministry of the Environment's name on them and the green ones have the Ministry of Government Services' name on them.

I would say that these containers can both serve the same purpose, no matter what colour they are or whose name goes on them. It was extremely wasteful of this government to distribute hundreds of white containers and then replace them one day later with green ones. What kind of message does this send to the taxpayers of Ontario? How much did this exchange of coloured containers cost and where did the white ones go?

The irony is that not one container is put inside this chamber, where we simply throw our waste paper on the floor beneath our desks. I will use my white one here.

BEN JOHNSON

Mr Faubert: For residents of Scarborough, and indeed all Canadians, the victories and defeats of Ben Johnson's career were particularly joyous and particularly painful. Ben Johnson was not only representing Canada, but he was also representing his home town of Scarborough.

It seems to me that he was a victim of the business-before-competition movement that has developed in international sport over the previous couple of decades.

Despite the events of Seoul, Korea, Ben Johnson has been demonstrating through his increased volunteer work in antidrug related activities and programs that he is committed to promoting a healthy and drug-free lifestyle.

Recently, while reading George Gross's column in a Toronto newspaper, I came across this quote from Ben Johnson that I believe is very relevant to share with the members during Drug Awareness Week.

Ben said: "I let down a lot of kids who had become an important support for me and I want to show these kids I can do it and do it clean. I want to tell them and show them that drugs are not necessary and that cheating is wrong. I've always worked with kids, doing clinics and helping them. I want to continue working with them. I get a lot of satisfaction out of trying to give them something back for all they have given me."

"I know I was wrong and I must try to make it right. Drugs damaged my liver. I guess some things, like getting caught in Seoul, happen for a reason. I was lucky to get caught and put an end to that era and I hope to get a chance to come back."

I personally believe Ben deserves a second chance and encourage all members to support me in urging the federal Minister of Fitness and Amateur Sport to take the required action to lift the life ban that denies Ben the opportunity to redeem himself to the people of Scarborough and the people of Canada.

PARLIAMENTARY PROCEDURE

The Speaker: Just before I call the next order of business, I wonder if I could ask the indulgence of all members and make reference to props or demonstrations that have been used in this House. I noticed one member did something yesterday and again today. We do not have any guidelines strictly set out. However, traditions of Parliament have been in many other legislatures not to use props or items for demonstrations. I just ask all members to use common sense and hopefully we can refrain from that.

STATEMENT BY THE MINISTRY

OFFICE OF THE OMBUDSMAN

Hon Mr Scott: Today I will be introducing for first reading a bill containing a number of amendments to the Ombudsman Act. The standing committee on the Ombudsman of the Legislature has for several years requested that the government bring forward amendments to the act. The former Ombudsman, Dr Hill, also requested that we consider various amendments to the act, which were subsequently endorsed by the standing committee. Most recently, a number of changes to the office were recommended by Robert Macaulay in his report to Management Board on his Review of Ontario's Regulatory Agencies.

The bill provides for a number of procedural changes to increase the efficiency and effectiveness of the office. In particular, the bill clarifies provisions relating to confidentiality, the discretion to refuse to pursue a complaint, the power to seek a declaration in the courts and the Ombudsman's ability to consult and require production of documents.

Two important changes are found in the bill to enhance the power of government to respond positively to the Ombudsman's recommendations. First, the bill will provide a new authority to pay compensation out of the consolidated revenue fund where the Ombudsman has so recommended a payment. Second, it will give governmental organizations the authority to reconsider a decision they have made when the Ombudsman so recommends. This is necessary to ensure that those governmental organizations

that do not have the statutory power to reconsider their decisions are able to do so.

The amendments further clarify the jurisdiction of the Ombudsman with respect to cabinet decisions. The act currently provides that the Ombudsman may not investigate deliberations and proceedings of the executive council. Different interpretations of this historically have existed. While the former Ombudsman had initially taken the view that this section precluded the investigation of cabinet decisions, he has taken the contrary position in more recent years. The bill will clarify that cabinet decisions are excluded from the Ombudsman's review.

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Next, as a result of court interpretation, the Ombudsman has been given the power to review decisions made by tribunals even where those decisions were made following hearings, whether oral or written. The members of the House will know that the leading case on this subject is with respect to the Ontario Labour Relations Board. Review by the Ombudsman of the decisions of administrative tribunals is not appropriate, I believe, in the current administrative law context. The Ombudsman does not have the specialized expertise of administrative tribunals and has not had the opportunity to hear the evidence as presented to those tribunals or to assess the credibility of the witnesses who gave evidence before the tribunals.

As was noted in the Macaulay report, the fact that the Ombudsman can bring a decision before the Legislature is in conflict with the concept of independent decision-making of tribunals. The Ombudsman's role is to be a watchdog of administrative and procedural fairness. Other safeguards exist in the case of tribunals whose decisions are reviewable through the process of judicial review under the charter and under the Statutory Powers Procedure Act.

It should be noted that the government has recently moved to improve adjudicative procedures in a number of tribunals, such as the Workers' Compensation Board and the Social Assistance Review Board, so as to provide for more effective review mechanisms within the boards.

The bill, therefore, provides for a narrow exclusion of the decisions of administrative tribunals from review by the Ombudsman. It excludes from the Ombudsman's review only the substantive decisions of administrative tribunals on the issues before them. Issues of fairness in procedure and practice will continue, as usual, to be subject to review by the Ombudsman.

The bill also provides for a number of housekeeping amendments which will rationalize the act and clarify several procedural issues.

I believe that the current bill addresses the most pressing concerns raised by the former Ombudsman and the standing committee of this House in terms of procedure and efficiency, and reinforces the role of the Ombudsman as a remedy for citizen complaints about misadministration or maladministration by government. It is my belief that the amended act will enable the recently appointed Ombudsman to consolidate the office and conduct investigations with increased efficiency and effectiveness.

RESPONSES

OFFICE OF THE OMBUDSMAN

Mr B. Rae: I am at once surprised and not surprised. Rumours of the long-standing intention of the Attorney General (Mr Scott) to effectively emasculate the Ombudsman have been circulating widely in the bureaucracy and in the committee on the Ombudsman for several months—indeed, for several years. But I think the wording that has been used by the Attorney General himself is worth commenting on.

He said, and I am looking at page 4, “The current bill addresses the most pressing concerns raised by the former Ombudsman and the standing committee in terms of procedure and efficiency, and reinforces the role of the Ombudsman as a remedy for citizen complaints about misadministration by the government.”

That gives the impression, and I say this with great respect to the Attorney General, that somehow the former Ombudsman, Mr Hill, was pushing for the kinds of changes which are contained in the statement made by the Attorney General. Now I say to the Attorney General, with the greatest of respect, it is no secret that the former Ombudsman was profoundly concerned about the intentions of this government to limit the role and effectiveness and capacity of the Ombudsman to review decisions taken by government bureaucrats and upheld by the cabinet of Ontario whose effect is unfair with respect to the citizens of the province.

To imply somehow that Dr Hill is endorsing what the Attorney General has done is complete nonsense, complete nonsense, and he knows it. He knows perfectly well what he has done. He waited until Dr Hill left office. He would not dare have brought this in while Dr Hill was the Ombudsman. He waited until Eleanor Meslin was replaced, and now, some two or three weeks after he has appointed a new Ombudsman, he

brings in a new package with respect to the role of the Ombudsman which dramatically limits the power and capacity of the Ombudsman to protect the citizens of this province.

That is precisely what he has done, so when I say I am surprised and not surprised, I am not surprised that he has done it, but I say the timing cannot be a coincidence. I say it is something which is going to cause considerable concern in a widespread community in this province. We are going to have to take some considerable time in debating and listening to and hearing the reasons why Dr Hill and, indeed, Eleanor Meslin were concerned about the intentions of the Attorney General.

It is all very well to say, as the Attorney General does, that cabinet decisions should be excluded, but I say to him that where a cabinet decision is based on bureaucratic misinformation, where it is based on mistreatment of individuals, I find it hard to believe that we would be saying the Ombudsman should have no power and capacity to ask the cabinet and to seek that the cabinet would reconsider a decision it has made which has affected the lives and liberties of the subject in the province.

I would also make the point that every member here knows that one of the most important aspects of the work of the Ombudsman over the last several years has been the Workers' Compensation Board. Again, I think the House should perfectly well understand that what the Attorney General is suggesting is not some mild and modest measure, it is a substantial change in the responsibilities and the work of the Office of the Ombudsman. He should have said that, he should have been clear about that, he should have made that clear and let members understand.

Members in this House know perfectly well there are literally hundreds of people who, having received an unacceptable decision from the workers' compensation system, then go to the Ombudsman. We have met with those people, we know what the work of the Ombudsman is, it is trying to create some greater fairness in the workers' compensation system and I think it should be understood by everybody that that is what the Attorney General is changing, that is what he is reinforcing.

He is reinforcing the power of bureaucracy, he is reinforcing the power of a Liberal cabinet and he is taking away from the rights and liberties of the subject. That is what this so-called civil libertarian has just done.

Mr Sterling: In general, we are supportive of the amendments to the Ombudsman Act, but we

are going to take a more cautious approach to it because the issues are very complex. The wording of the legislation is important in terms of the powers that are retained by the Ombudsman and are given to the Ombudsman. Therefore, I think it is imprudent for our party to criticize to a very great degree the statements contained in the Attorney General's address to us today.

Might I say, though, that we do not argue with the government's position that the Ombudsman should not be allowed to review cabinet decisions. We believe that the buck has to stop somewhere and the cabinet is the proper place for the buck to stop.

ORAL QUESTIONS

PROGRAM FOR OLDER WORKER ADJUSTMENT

Mr B. Rae: I want to ask a question of the Minister of Labour. I now have a copy of the agreement signed between the government of Canada and the government of Ontario dealing with the situation of older workers. The agreement limits the protection of older workers who are affected by the extraordinary changes that are happening in our economy today in what are so-called major permanent layoffs.

I wonder why the Minister of Labour would accept an agreement which would be so dramatically limited in its impact and which would effectively abandon tens of thousands of workers who are laid off across this province and who will be laid off across this province because they do not fit into the bureaucratic categories he has accepted.

1400

Hon Mr Phillips: As I said yesterday, we have guidelines and there are no layoffs that are excluded. These are guidelines and we will review each layoff on its own merits. One of the members yesterday suggested that there would be some layoffs that would be excluded. There are no layoffs that will be excluded.

I think the second thing I should say is that we have said all along that we would have preferred a more generous program than this. This was the program that the federal government, in the end—we were the final province to sign this agreement—in the final analysis said, "This is the agreement which we are prepared to move forward with."

We had some encouragement, I might say, to sign the agreement from some people in the labour movement who felt—and I agree with them—that this program was a program worth pursuing. We have said in statements in the

House and in our releases that we would have preferred a more generous package than this. This was what the federal government finally agreed. Under some encouragement from the labour movement, we finally agreed to this program. It will benefit workers, and we have said many times we will do our best to encourage the most—if I might say it—liberal interpretation of the guidelines.

Mr B. Rae: I am sure the minister would not want to mislead anybody, including himself, but he will know that it does not just set out guidelines. If he has not seen the agreement—although I am sure he has; I am sure he knows it very well—let me remind him that the agreement refers to very clear criteria qualifications for eligibility. For example, it says that a worker must have been attached to the workforce for 15 of the last 20 years, a condition which is clearly discriminatory against many older women.

Why, in particular, would the minister have agreed to a condition that is so obviously discriminatory against older women when it says, "A worker must have been attached to the Canadian labour force for at least 15 years in the 20 years immediately preceding the date of layoff"? He knows from the record of employment of women in the last 20 years that this directly discriminates against older women. He knows that.

Hon Mr Phillips: I would remind the member—and perhaps he is not aware of this—that the only reason we signed that agreement was that we got the agreement of the federal government to review that clause. We were troubled by that, as troubled as the member is, because I agree with him, it does discriminate against women and that was one of the reasons we were reluctant to sign it. That is one of the reasons we were the last province to sign it. It was with the agreement of the federal government to review that specific point after one year that we finally agreed to it.

I do not need a lecture on the need for looking after women in particular, because we recognize that. It was only with that agreement that we finally signed it, and after one year we will review that specific clause for that specific reason.

Mr B. Rae: The minister has changed his second answer from his first answer. The first answer he gave me was that there are no conditions, there are only guidelines. In the second answer he said, "Yes, you are right, there are conditions," and he admits that the condition he signed discriminates against women. The

minister has already changed his mind with respect to this so-called agreement.

Will he agree with me that it is limited to layoffs which are described in the agreement as major and permanent? Would he agree with me that it sets out conditions for entitlement which are directly discriminatory against many workers in this province, workers affected by smaller layoffs, workers affected in communities where there may not be as major a permanent unemployment problem and in particular older women workers who are more likely to be affected by smaller layoffs than by larger ones?

Would he not agree with me that is what he has signed and that is what he has agreed to?

The Speaker: Order. That is the third time and it is the same question.

Hon Mr Phillips: I will repeat exactly what I said before in terms of women. We were reluctant to sign this agreement for that reason. It treats women and men the same, but in this particular case, because of the history of women in this province and the workforce, we think the agreement should have allowed for fewer years of work than men in this particular agreement, but the rest of the agreement are guidelines for interpretation.

As I said yesterday in my answer, we were concerned that layoffs in Metro Toronto—where perhaps they might not affect the whole of the Metro area but still would clearly affect a large number of older workers—could be covered.

They are guidelines for interpreting the provisions of the program for older workers. So I do not agree with most of the latter question. The one that I already have acknowledged is that we would have preferred that for women there would have been a special provision, and it was only with the agreement that the federal government would review it after one year that we agreed to sign it.

GOODS AND SERVICES TAX

Mr B. Rae: My second question is for the Treasurer. Back in 1988 the Treasurer told the people of Canada, and I am quoting: "We think the sales tax is a fair tax. The sales tax is upfront, it is democratic and people know where it comes from."

Is it still the view of the Treasurer that the sales tax is a fair tax?

Hon R. F. Nixon: Yes.

Mr B. Rae: If the Treasurer now thinks the sales tax is a fair tax, can he explain why his leader would have described it in 1982, when he was criticizing increases in the sales tax by then

Treasurer Frank Miller, as "a regressive tax on consumption which could not be described as progressive"? Why would he have said that?

Hon R. F. Nixon: I think the honourable member is in a very good position to understand the obvious answer to that.

Interjections.

The Speaker: Would there be a follow-up supplementary?

Mr B. Rae: Yes. Can the Treasurer tell us whether this is the level of cynicism that we can now come to expect? He has shown in his answer the level of cynicism which we can attach to his approach to the sales tax. Is that not precisely the reason why he is going to gang up with the Tories on the goods and services tax? He has shown exactly the same level of cynicism.

Hon R. F. Nixon: I had not realized that the third party had telegraphed its view on this debate this afternoon. Certainly I have not said what we are going to be doing. The Tories in Ottawa are, of course, not supported by anybody in this House as nearly as I can tell. But the honourable member is worried about the level of cynicism. I am concerned, I guess, that the honourable member face reality in that it is the job of the government to levy taxes which are obviously and always unpopular.

The only taxes I know that are popular in this House are popular with the New Democratic Party against the rich. Their slogan, "Let the rich pay," is well known, and it has got a certain catchiness to it that I am thinking about for the coming budget. It is the job of the government to defend its tax system. Obviously we would not have it if we did not think it were fair and equitable.

In many respects it is the job of the Leader of the Opposition to indicate that anybody who does not agree with him is either not in possession of the facts or is somehow cynical or somehow less than totally frank. I reject that. I do not believe it is true. I think it is time the honourable member grew up.

Interjections.

The Speaker: I would not want the member for Mississauga South (Mrs Marland) to have to shout, so would you please allow her to ask her question?

ROUGE VALLEY

Mrs Marland: My question is for the Minister of Natural Resources. Yesterday the minister's government supported my motion that the provincial government should immediately take

all appropriate steps to designate the Rouge Valley lands as a provincial park. In my opening speech I made it clear that our definition of the Rouge was the full 10,700 acres, including the tablelands. Now we hear, as reported in today's Toronto Sun, that the Minister of the Environment (Mr Bradley) says the government would really have to look at that and that he would not rule out a new highway or housing development being built in the area. This is in direct contradiction to the government's support of my motion yesterday.

My question is this, will the minister please reconfirm her government's commitment to designate the Rouge lands, the valley and the tablelands, as a provincial park?

1410

Hon Mrs McLeod: In response to the member's question, I can certainly affirm the position of the Ministry of Natural Resources, which is my mandate to do as minister, and that is our interest as the Ministry of Natural Resources in the preservation of unique natural areas in the Rouge. Obviously, there are many other ministries that are involved in land use decisions. Certainly, in terms of our concerns as the Ministry of Natural Resources with the preservation and the management of areas of natural significance, we have had very strong support from this government in its commitment to the preservation of areas of significance within the Rouge and I think that yesterday's debate was again very supportive of that direction.

Should there be a decision made that designation of a provincial park is the best way of preserving and managing the Rouge lands, we would certainly be supportive of that and work with it.

Mrs Marland: The minister must agree that by supporting the resolution yesterday in the House that the government was acknowledging, I believe, that any development in the Rouge Valley or its tablelands, be it a highway, a landfill site or housing, would be incompatible with a provincial park. Such development would do irreparable damage in terms of the Rouge environment.

So my question again is, how can the minister say on behalf of her government, and I think speaking as the Minister of Natural Resources she has to speak on behalf of her government as well, that she can preserve the Rouge and yet have a minister the very next day talking about the same uses that her government has talked about before the motion yesterday?

Hon Mrs McLeod: Again, I am most happy to address that question as the Minister of Natural Resources. Certainly, the Ministry of Natural Resources will be examining any specific proposals for further development of the Rouge from the perspective of our concern for the preservation and for the management of areas of natural significance.

We will participate in all the discussions about the Rouge Valley development and share our perspective as the Ministry of Natural Resources in those discussions and be happy then to take forward this government's commitment in its specific directions for further management in the Rouge area.

Mrs Marland: There is obviously a two-faced approach here which I think is inexcusable. The government's own members yesterday in the debate, for example, the member for Scarborough North (Mr Curling) said, "...we have to make sure that we do not damage the ecosystem within the Rouge." The member for Scarborough-Ellesmere (Mr Faubert) said, "I would be opposed to any proposal, be it a dump, housing or a freeway," and, "If the sensitive areas of the tablelands...are destroyed or left unprotected, then the Rouge Valley itself would surely be threatened and clearly this would be unacceptable."

Again, I have to question the minister when she says that she would be willing to get into the discussions about which areas might be part of a provincial park, speaking as the Minister of Natural Resources. The whole point is that it is not a matter of which areas; we want to know, will the minister support the provincial park in the tablelands?

Hon Mrs McLeod: Again, I would indicate that as the Ministry of Natural Resources, we will be most happy to support a decision, if the creation of a provincial park is the best way to preserve and manage the Rouge lands. We would certainly take that forward and work with that most willingly. But I think it is important that we recognize what we as the Ministry of Natural Resources have already been committed to in the Rouge, certainly, in terms of working with the conservation authority to acquire some 2,200 acres of land in the area already.

We are carrying out currently, have carried out in the past and are continuing to carry out studies of areas of natural scientific interest. We are looking at watershed studies. We are looking at studies of fisheries management. We have been supportive of the development of two conservation areas in the Rouge already.

I think it is quite clear that our commitment is to work very actively in the Rouge Valley in order to preserve and manage those lands. I think it is also important to acknowledge that whatever decisions are made about the best way to continue that work, there has been a very active, co-operative partnership between the ministry, the conservation authority, the parks authority and indeed many community members to achieve the level of management and use that is already occurring in the Rouge Valley.

PRESCRIPTION DRUGS

Mrs Cunningham: My question is for the Minister of Health. In 1988 the former Minister without Portfolio responsible for senior citizens' affairs stated that Ontario needs more services, not more drugs, to improve the quality of life for our senior population. Three important facts were stressed by the Drug Quality and Therapeutics Committee in 1987. I would like to bring them to the attention of the House.

Up to 25 per cent of seniors in hospitals are there because of drug misuse; seniors use 40 per cent of the prescription drugs distributed, yet they only constitute 10 per cent of the population, and more than 25 per cent of those diagnosed as confused are actually overmedicated.

This committee, the Drug Quality and Therapeutics Committee, outlined the problems. They offered suggestions also. One was awareness. We are wondering just what kind of action the minister will be taking immediately to deal with these problems.

Hon Mrs Caplan: I would wonder where the member has been. In fact, I took action, established the Lowy drug inquiry. We have had three reports, and I have acted on each one of them.

Mrs Cunningham: I suppose that is part of the problem, in that in 1987 we already knew what the problem was. We are waiting to address the problem. We do, in fact, have another committee looking at it, the Lowy committee. We are waiting again for more facts that we already know about, and members know what we really need to do is make the public aware. Our party has done that. We have done it in a very concrete way. I would like to send this pamphlet over to the minister. It is called *Checking the Mix*. It is to help seniors across this province. What specific things will the minister's government be doing in order to help the seniors become more aware and prevent this overuse now?

Hon Mrs Caplan: I want to say to the member opposite that I am very concerned about the rate

of prescription drug use by the senior citizens in this province. That was the reason I established the Lowy drug inquiry. It is also the reason we reformed the special authorization program. I want her to know that I have acted on the advice of the inquiry and I am expecting their final report to be delivered to me around the end of this year or early in the beginning of next year.

I want her to know that the Ontario drug benefit program is now in the neighbourhood of some \$600 million annually, and my goal is to make sure that the people who receive their drugs under that program get the very best of therapeutic results. I also want her to know that every prescription under that program is written by a physician and dispensed by a pharmacist. We are working with all our partners to determine what action is appropriate for a government to reform this program to achieve our goals and objectives, which are better health for the seniors of this province.

Mrs Cunningham: In 1987, every prescription in fact was prescribed by a physician and given by a pharmacist. Nothing has changed there. What we really need to do is make the seniors very much aware of the facts. The facts are that 200,000 elderly Canadians become ill each year from the side effects of prescription drugs, and 4,000 of them die. We should be absolutely shocked. We have done nothing since 1987. We know what the problem is. We really cannot afford to wait any longer. What specifically will the minister be doing in the next two or three months to let seniors know over and above what we have already done to help us solve this problem and prevent this disaster from occurring over and over again?

Hon Mrs Caplan: I will say to the member opposite that in fact there is much that needs to be done, but there is much that has already been done. In fact, by reform of the special authorization program we have achieved, I think, a first important step. I can say to her as well that the Lowy drug inquiry held public hearings in cities across this province, and that the seniors' organizations are becoming very aware of the abuse of prescription drugs by seniors in this province, inadvertently in most cases. We know how important public education is and I am looking forward to the report of the Lowy drug inquiry, but I would say to the member opposite that I have no intention—I am not an expert—of telling the doctors of this province how to practise medicine or what prescriptions to write. I am not a pharmacist and I have no intention of telling the pharmacists how to do their job, but

we do intend to work co-operatively with everyone to achieve our goal, which is better health to the senior citizens of this province.

PROGRAM FOR OLDER WORKER ADJUSTMENT

Mr Farnan: To the Minister of Labour. I have here a press release from the ministry dated 9 August in which the minister announced the program for older worker adjustment, and I also have a press release from Labour Canada and the federal announcement of the implementation plans for the program. In neither case do either of these documents make any reference to the qualifying clause of eligibility that the major dislocation take place in an area of high unemployment.

1420

Surely, this approach is basically a deception. It merely raises the hopes of desperate, vulnerable, displaced laid-off workers by offering the program on the one hand, and then simply dashing those hopes, by pulling out of the hat, the rabbit of ineligibility based on areas of high unemployment.

Hon Mr Phillips: If the question was do people in areas of high unemployment qualify or not qualify, I will repeat what I said yesterday and earlier today, and that is there are several criteria that are taken into account in determining whether workers will benefit from POWA or not. There are criteria that will be taken into account, and the examples the member used yesterday, as I said to him yesterday, would be typical examples of programs that could qualify under POWA.

I wanted to put the member's mind at ease yesterday and I will do it again today. The examples he used yesterday would be programs that should be ones considered, and would be considered, under POWA.

Mr Farnan: A supplementary to the minister is this question. I want the minister to try and answer this question straightforwardly for the citizens of Cambridge. The minister talked about a major dislocation and he gave the example of Massey, and there are large numbers of workers involved.

What is the difference between that dislocation and the situation in Cambridge where we have a whole number of plants, Artex Woollens, Andrew McNiece, Savage Shoes, with 100, 200, 250 employees in total, let me say, equal to the layoffs at Massey, but individually maybe not considered a major dislocation?

Will the minister give an assurance to this House and to the people of Cambridge that this combined layoff in the shoe industry, as a result of quotas and as a result of free trade, will be recognized and that these workers will, in fact, be compensated and receive benefits under this program?

Hon Mr Phillips: What I said yesterday, I will say again today and that is that certainly those examples he uses should be ones that will be considered under POWA. I cannot guarantee they will qualify because they must go through the review mechanism, but I can assure the member that those are typical programs.

Again, as I said earlier, seeing that the member has raised the press release, "The minister expressed satisfaction," that is myself, "that the federal government has agreed to review a requirement for length of participation in the labour force that might adversely affect women returning to employment." Ottawa has agreed to this review after the first year of the program. I outlined that in the release, as I said earlier.

Also, I outlined specifically in that release, industries such as textiles, clothing and footwear that would be typical industries that should qualify under the POWA program. I cannot guarantee him that the specific instances he raised will, in fact, be ones that will benefit under POWA but they are certainly ones that should be considered under POWA. As I say, I think they sound like ones that typically should benefit from POWA.

I do not make that decision until after the review takes place, but I would hope the member would speak to those workers who are affected, suggest that they get in touch with our ministry and get the process rolling along. My understanding is that there are some 40 industries that already have been looked at and will be coming forward for review.

DRUG ABUSE

Mr Eves: I have a question of the Minister of Health. Yesterday the minister responsible for the government's anti-drug strategy made a statement in the Legislature. That statement was followed by one by the Solicitor General (Mr Offer) and the Minister of Education (Mr Conway). This is indeed a very serious issue in the province today and I wondered why the Minister of Health was silent on this issue yesterday.

Hon Mrs Caplan: The province's anti-drug strategy, as announced yesterday, reflects the government's commitment to promoting healthy

lifestyles and discouraging abuse of alcohol and illicit drugs through community action. I am proud to say that the Ministry of Health is an important partner in the anti-drug strategy and we are very supportive of the work of my colleague. I want to point out that in fact in the past three years alone, the Ministry of Health's addiction programs have increased in funding by 126 per cent.

Mr Eves: I am sure the minister is more than aware that over the past two years the province has spent approximately \$10 million, at least, to send over 2,000 Ontarians to drug rehabilitation centres, in the United States mostly. The taxpayers of Ontario are paying for this because those residents cannot receive the same type of treatment here in the province of Ontario.

I am also well aware, as I am sure the minister must be, that her colleague the member for Muskoka-Georgian Bay (Mr Black) this past summer in an address to the annual meeting of the Institute of Addiction Studies made the point that he agreed that there has to be more money made available for rehabilitation treatment here in the province of Ontario. What is the minister doing about that need that the member acknowledges and I presume she does as well?

Hon Mrs Caplan: I just find it amazing that the member of the third party would stand to even ask this question. In 1984-85, when this government assumed office, total spending on addiction programs by the previous government was \$9.4 million. This year, in 1989-90, the increase is \$43.3 million. That is a 360 per cent increase in funding by this government over funding that was made available by those folks when they had the opportunity to do something. I am proud of our record. It is not enough, but we are making progress.

TEMAGAMI DISTRICT RESOURCES

Mr Keyes: I have a question for the Minister of Natural Resources. In recent weeks, the constituents of eastern Ontario brought clearly to my attention the concerns about logging in Temagami. In response to questions in this House, I was very pleased that the minister made a commitment that any harvesting to be done will be done in a very sensitive manner. I wonder if the minister could elaborate on her commitment and perhaps give an indication of the kind of the work that is currently being undertaken which is resulting in sensitive and wise management of the resources in the area.

Hon Mrs McLeod: I think I would like to first emphasize, both in responding to the member's

question and to concerns that I know exist among all members of the House, that we are truly concerned about integrated forest management right across the province of Ontario and we are wanting to manage our forests in a way which is sensitive to environmental values as well as to multiple uses. But certainly we have acknowledged in Temagami there are some unique ecological values that do have to be very carefully considered in all of our management plans. I think the honourable member is well aware that we have already set aside some 100,000 hectares of land in parkland in the Temagami area as well as having preserved old pine stands in the skyline reserve.

But he is quite correct. We did make a commitment that we would examine all of our harvesting plans with a view to identifying other sensitive areas that may exist in managing them appropriately. We have undertaken a number of studies, including the study of the old pine growth and including studies of areas of natural scientific interest.

The member, I think, may be aware, following some comments to the standing committee on resources development yesterday, that although our studies are not yet fully complete, early data did suggest to us that there may well be an area north of the Obabika River which is particularly sensitive, and we have recommended to the Temagami Advisory Council that that be set aside from harvesting until our studies are complete.

Mr Keyes: I know a lot of people in eastern Ontario and across the province will be pleased to hear that reaffirmation of the minister's commitment to sensitive harvesting. But she also spoke on many occasions of the importance of the role of the public in the whole planning process of the Ministry of Natural Resources, and in Temagami, as the minister has just referred to, the Temagami Advisory Council is playing a particularly important role. Could the minister comment on the growing significance of the Temagami Advisory Council in decisions about resource use in the Temagami area?

1430

Hon Mrs McLeod: I think it is probably quite apparent that resource management decisions are going to be increasingly complex because of multiple-use interests and also because of often-competing values. It may be nowhere more true than in Temagami, where the multiple-use interest and the competing interest in values are so pronounced that it is essential that we have a forum in which all those concerned with the

management of the Temagami area can come together to review and to discuss the kinds of decisions we are making about management.

The Temagami Advisory Council was established to provide that kind of forum. They have been very conscientiously working to review all of the management plans for the area. We are certainly going to continue to value their advice and we are going to continue to encourage all of those who are concerned with the Temagami forest management to become involved in those discussions and reviews.

Mr Wildman: It is interesting that there are no natives on the Temagami Advisory Council. They are on the road.

The Speaker: And your question is to which minister?

Mr Wildman: My question is to the Minister of Natural Resources, who does not seem to understand what Dr Carmean said, that the integrity of old growth means that you should not be cutting anything in the old-growth area.

I have a question, though, regarding mining development in the Temagami area. In view of the impending closure of the Sherman Mine in the Temagami area and the desire of the Minister of Mines (Mr O'Neil) for companies to develop mining deposits in the Temagami-New Liskeard area and the investment of \$600,000 in redevelopment of the Kanichee nickel-copper mine, which would employ approximately 60 workers, why is the Ministry of Natural Resources refusing to assist with the replacement of the bridges with new bridges or culverts on the Kanichee Road and thus, by refusing, ensuring that the mine will not reopen this winter?

Hon Mrs McLeod: This is obviously a very specific issue related to a concern that I will look for an opportunity to discuss with my colleague the Minister of Mines.

Mr Wildman: In discussion with the Minister of Mines, perhaps the Minister of Natural Resources will be able to explain to the Minister of Mines and to this House why MNR can find \$3.5 million for the Red Squirrel Road extension, which may provide 75 jobs for Milne Lumber over the next five years, but the ministry cannot find between \$25,000 and \$125,000 to ensure the creation of 60 mining jobs in the Temagami area.

Hon Mrs McLeod: I am quite sure that if there are issues within the mandate of the Ministry of Natural Resources which can be supportive of economic development in the area, we will certainly want to look into those. I think,

however, the honourable member, in asking that question, is perhaps mixing two areas of resource development and resource use when he references the expenditures on the Red Squirrel Road.

Quite clearly, and I think the House is well aware, we have provided for the expenditures related to construction of the Red Squirrel Road because we do believe that it is viable to support a lumbering industry in the Temagami area and that that can be done by accessing areas of the Temagami forest by way of the Red Squirrel Road in a way which leaves us also in a position to manage that forest in a way that is responsive to multiple uses as well as to the environmental and ecological values that I spoke of earlier.

Quite clearly, that is our focus and our justification for the expenditures on the Red Squirrel Road. If there is more we can be doing in other areas in support of other economic development, we can certainly look at that.

TRANSITIONS PROGRAM

Mrs Cunningham: My question is for the minister of all education, the Minister of Education and the Minister of Colleges and Universities. The Ministry of Skills Development has in place a program called Transitions. It is designed to provide training and assistance to workers over 45 years of age.

In the first year, they were able to spend \$284,000 out of a \$14-million budget; in the second year, \$1 million out of a reduced \$8-million budget. That means \$20 million was not spent to help these older workers. The ministry expected to receive 13,000 requests for assistance in the first two years, yet received only 2,000. Perhaps the minister could offer an explanation why as to this low rate of interest in the program.

Hon Mr Conway: The putative leader of the third party, the member for London North has, I must say, a very, very variable brand of Toryism—what she says here and what she says in London seem to bear no relationship, one to the other.

Mr Breaugh: Something like yourself.

Mr Jackson: It's a hazard for every member. You notice that about every member.

Hon Mr Conway: I have great regard and great affection for the member for London North, with whom I have discussed the Transitions project earlier.

The honourable member knows that in recent times we have expanded the eligibility criteria. She is right in indicating that the rate of uptake or participation in this program is not as high as I

would like. That is why at the present time the Ministry of Skills Development has embarked upon a publicity campaign to make people aware of what this program is, whom it might involve and what attractions it has. We are working, and I would be very pleased to have the support of the member for London North, to ensure that everyone who is eligible—and as I say, we have expanded the eligibility criteria so that people who are eligible will, in fact, participate in what we believe is a very good offer.

Mrs Cunningham: We are always interested in helping the minister, and have I got some help for him today. A partial explanation for the lack of uptake probably has to do with information I will share with him. This is a Transitions brochure, and there is an application form on the back of this brochure. You fill it in and you send it back to the ministry.

Now, there is a problem with it, and that is, it does not comply to the business standards by Canada Post. Do you know what? This is too big and it does not fit the machines. It jams the machines, and when you jam the machines up, you then have to sort them by hand. The real problem is this: The Ministry of Skills Development is absorbing, therefore, the higher postage costs to get these letters returned to it, and I just do not think that that is very responsible.

My question there is, how can we rely on the minister then to retrain older workers, when he cannot even make his own ministry work in a responsible fashion? Too big.

Hon Mr Conway: A main question from my friend that has her as a spending Tory and a supplementary that has her sounding like a cost-cutting Tory. I want to say though, her supplementary appears to raise a valid concern, and if it is as valid as it sounds, I say to my honourable friend, we cannot and will not have that. If it is as she reports, I can assure her that in response to her concern I will see to it that changes are made.

OXFORD REGIONAL CENTRE

Mr Tatham: I have a question for the Minister of Community and Social Services regarding the Oxford Regional Centre. During the last few weeks I have had a number of phone calls and questions about the downsizing of this facility. I just wonder if he can give us an update about what is taking place there.

Hon Mr Beer: To my honourable colleague, the Oxford Regional Centre, as he is aware, is one of a number of institutions which over a seven-year period we are downsizing. What we

have said with that facility, as with others, is that in doing that and having people leave the institution, we want to make sure that there are community support systems in place so that the people leaving will get the required support back in their own communities.

I think one statistic which would perhaps be of interest to the honourable member is if we compare today to 1980. In 1980 the resident population at Oxford was 683, with some 360 direct-care staff. By March of next year the resident population will be about 363 and about 321 direct care staff. We have been working very closely with not only the Oxford Regional Centre staff but also the community, and we believe that the program is proceeding very well.

1440

Mr Tatham: Can the minister tell me what exists to help employees who will be displaced because of this downsizing?

Hon Mr Beer: At the beginning of the summer, I believe it was in June, under my predecessor, a career counselling centre was set up at Oxford Regional Centre to help those who might be in a position where their jobs were going to end. In point of fact, the job loss to this point has been through attrition, people moving on to other places, but we have this centre that is located there, this counselling centre. One of the things we do is we provide through the Oxford Regional Centre 50 per cent of the cost for upgrading courses, which I believe some 20 workers there are currently undertaking. The counselling centre is to provide any and all kinds of help to the staff members at the centre, and it will continue to stay in place until the issue has been resolved.

WORKERS' COMPENSATION

Miss Martel: I have a question for the Minister of Labour. He will know that on Friday 17 November the board of directors of the Workers' Compensation Board finally held a hearing for 25 injured workers who are suffering from chronic disabling pain. The majority of the workers won their cases at the Workers' Compensation Appeals Tribunal, but then the Workers' Compensation Board used section 86n of the act to stay the decisions. Most of the decisions were made two years ago, and benefits have been stayed since that time.

During the proceedings on Friday, both the board and the employers made many comments about what the intentions of the Legislature were and are with regard to section 86n. I can tell the minister that neither the employers nor the board

spoke for myself or my party at those hearings, but since the ministry was not represented at the hearing, I would like to ask the minister what his intentions are with regard to section 86n and what his intentions are with regard to these cases.

Hon Mr Phillips: I think I have mentioned in the House before—but if I have not, I will repeat it—that there is a green paper under preparation now on the whole issue of the Workers' Compensation Board. One of the issues that has to be addressed is the one that the member refers to as 86n. Right now there is some concern that it is somewhat ambiguous in terms of who has the final responsibility. I would say that that is one of the issues that will be addressed in the green paper, which is due out next year.

Miss Martel: I do not think some of these people can wait until next year, frankly. Let me give the minister the case of Mrs T, who was represented by CUPE at the hearings.

She worked at the Oshawa General Hospital for 13 years until she was injured twice in 1983. She was the sole breadwinner at the time because her husband broke his back in a noncompensable accident in 1974. She was cut off benefits in 1985, but CUPE won the case at WCAT in September 1987. WCAT said benefits should be paid from 1985 onwards and that the benefits should be paid immediately because of the financial hardship of the couple.

The WCB stayed the decision even after CUPE wrote and said the financial situation was desperate and the woman was suicidal. She in fact tried to commit suicide in June 1988. The board responded a month later and said there was no pressing financial situation evident. She receives \$59 a month from the WCB.

I would like to ask the minister if he thinks this is fair and if he thinks these people can wait until next year for a decision on 86n.

Hon Mr Phillips: I am not familiar with the specifics of that case. I would hope that in cases where it is clear that the board must and should make a decision quickly that it would. The board having only decided this on Friday, I guess, I would be happy to look into the specifics of that case.

The member does raise a broader issue, which is an important one, and that is the whole issue of final responsibility between the board at WCB and the tribunal, and it is one that must be clarified and addressed. It is one of those issues that is looked at in the green paper, as I said earlier. I recognize that the board, in the meantime, must move with dispatch in terms of dealing with these more significant and, in some

cases, tragic cases. I would be happy, in that specific case, to inquire as to the status of that from the board.

TRANSIT SERVICES

Mr Cousens: I have a question for the Minister of Transportation with regard to an issue that Mayor Mel Lastman has really crusaded for. He has tried to find a way of building the Sheppard subway and last week came forward with a number of recommendations for an innovative approach to financing the Sheppard subway. Yet at the same time, shortly after that, one of the minister's executive directors came out and said that it would appear that the minister is not in favour of this proposal of the Sheppard subway. Would the minister please be so kind as to tell this House whether or not he is for or against the construction of the Sheppard subway line?

Hon Mr Wrye: I do not think the executive director of the municipal transportation division indicated that we were against the Sheppard subway line or, indeed, against the proposal. I think he quite properly raised some concerns regarding the proposal which came forward last week from Penta Stolp, including the amount of government money that is still requested as part of this private sector proposal, as the member would know, some 56 cents on the dollar; the directions that the private sector wished to put to the proposal; indeed whether the public interest ought to go forward over the private interest, and finally, those items that come to mind quickly, the timing which the private sector wishes a response on. Quite frankly, 60 days for a response is really, from my perspective, unacceptably short.

Mr Cousens: What is even more unacceptable is the lack of a creative response and an approach to transportation directions for the greater Toronto area. To not have the leadership we really need to solve these problems becomes a larger issue. What we are faced with now is, within the Ministry of Transportation, to just find some response to the creative financing techniques for transit expansion that have been suggested.

The bottom-line question that I have for the minister is, what is he going to support? Is he going to support an east-west transit corridor such as the Sheppard line or is he going to support a Finch corridor transit service or is he going to support something that takes things further up Yonge Street into York region? Where is the government going with its transportation directions?

Hon Mr Wrye: The honourable member will be pleased to know that the ministry, at a very senior level, is currently completing a project that has involved Metropolitan Toronto, the Toronto Transit Commission, the region of York and GO Transit. All of those various parties have been working together, trying to come up with a comprehensive solution to some problems and challenges we are faced with in terms of the greater Toronto area.

I would admit very candidly in the Legislature and to the honourable member that we face some very exciting and enormous challenges in terms of this high-growth area. Those recommendations will be coming forward shortly, and I expect, in the not-too-distant future, we will be responding not only to the kind of initiative that came forward—and we certainly appreciate that initiative—but also to the general challenge of where we ought to be putting our priorities as we respond to the challenge in the GTA.

SOCIAL WORKERS

Mr Owen: I have a question for the Minister of Community and Social Services. As the minister is aware, this province at the present time has no regulation of social workers. This means that whether a person is competent or incompetent, he or she can set himself or herself up as a social worker. If anyone has any complaint about the incompetence or unethical conduct or performance of a social worker, there is nowhere to go with regard to such a complaint. I know the minister is looking at the matter and I wonder if the minister could tell us today where we stand with regard to addressing this need.

Hon Mr Beer: As the honourable member may recall, last spring there was a consultation document that went out, and earlier this fall I extended the deadline for responses to that consultation document with respect to the whole issue he has raised. To date, there have been a number of responses. It would be fair to say there is no consensus around specifically the route that we ought to take. I and officials of my ministry are meeting with the various groups and so on who have a particular interest in this topic. We want to wait until we get all the responses, at which time we will review those and we will be able to come forward with the approach we are going to take in the new year.

Mr Owen: I appreciate that there is no agreement and probably never will be an agreement on this problem, as there is very rarely agreement found on almost any problem that we face in this Legislature.

At the present time, we have the Ontario College of Certified Social Workers, but it has very little opportunity for exercising any discipline with regard to anyone outside of its membership. There are over 10,000 social workers in the province today, of whom probably fewer than 2,000 are in that membership, yet almost every other province, if not all of the other provinces, has come up with legislation with regard to this matter. I am wondering if the minister appreciates that we must have some protection for the public as well as for the social work profession itself.

1450

Hon Mr Beer: I think everyone in the debate recognizes the need to protect the public, and one of the things that I would want to underline on that is that many of those who are actively engaged in social work are within organizations where, in terms of the kind of work they carry out, there are various disciplinary standards that are there.

None the less, we recognize that the college has done excellent work since its inception and that there is a desire among many in the field to have something more substantial in terms of regulatory or disciplinary powers. We want to be careful before moving in that direction that all of the interested parties have had a chance to comment and to see if there is some way that we can ensure the protection of the public that will bring all of those who are active in this area on board. That is part of the purpose of the whole consultation process.

FIREFIGHTING

Mr Hampton: My question is for the Minister of Natural Resources. The Ministry of Natural Resources recently released a report which indicates that, due to the global warming effect, there have been over the last 10 ten years more and more forest fires in northern Ontario, and the situation is becoming more severe each year.

Given the fact that the ministry has had this information, I wonder how the minister justifies the fact that the Ministry of Natural Resources cut 130 trained firefighters from the forest fire crews this summer and cut some \$5 million from the forest fire budget this year. Knowing that the situation is getting worse and worse, how does the minister justify cutting those crews and cutting that commitment to protect our forests?

Hon Mrs McLeod: I had thought when the honourable member first initiated the question that he was perhaps going to ask for comment about the effect of global warming on the forests,

but obviously the thrust of his question has to deal with the issue of fighting the forest fires which occurred last year in our forests. There was a new approach to having our firefighting teams developed last year where we used smaller teams that could come together in larger numbers to fight fires in specific areas.

We are committed to carrying out a review of the effectiveness of that new approach now that the fire season is passed, but it is my information—and that was reaffirmed following my own visit to the firefighting centre in Sault Ste Marie—that we were in fact able to deal very effectively with the fire situation in northern Ontario over the course of this past spring, summer and fall and as well were able to provide support to a neighbouring province which was experiencing a great deal of difficulty.

Mr Hampton: The minister has received different information than the standing committee on public accounts received when we visited Dryden this summer. When we spoke to the district fire manager there, he was very concerned about the new system. However, it is not just the so-called new system that I am inquiring about. The minister's own official in Sault Ste Marie, Mr Thomas, who is the director of the forest fire and aviation and fire management centre, said: "The situation gets worse and worse every year. This is a very tense situation."

This government claims to be interested in protecting our environment. How does the minister measure that claim when she is in fact cutting the budget of a service which is charged with protecting a great extent of the northern Ontario environment, the forest fire protection service? How does the minister justify those cuts?

Hon Mrs McLeod: I recall having read that article some time ago and I think the particular quote that the honourable member uses may be taken somewhat out of context. I think that the district manager was referring to a concern about whether or not the fire situation in our forest was likely to become worse, given the effect of global warming. That is quite another issue, which I would be happy to talk about on another occasion, but the member's question seems much more directed to our ability to deal with the fire situation as we confronted it this year and as we may confront it in another season.

We have quite clearly made a commitment that we are going to be able to maintain an ability to deal with the forest fire situation effectively. My predecessor, in discussing the new approach that was being taken and recognizing that it builds in a

greater mobility of our firefighting crews, also I recall clearly indicated to the House that we would be able to provide the resources to meet the situation that was at hand. It is my understanding that over this past fire season, we did do that and, as I indicate also, we are able to provide some very needed resources to the province of Manitoba.

INCINERATION

Mrs Marland: My question is to the Minister of the Environment. On 16 October, in speaking to the Recycling Council of Ontario, the minister said that massive landfilling and incineration will go the way of the dinosaur. He also said, "Furthermore, a path towards massive EFW incineration will only exacerbate the greenhouse effect and global warming." He said, "EFWs can defeat the whole purpose of waste reduction and recycling."

The minister has now received a letter from Mayor Hazel McCallion, who needs an answer by Thursday, asking him to clarify how his ministry can issue a certificate of approval for an incinerator in Peel at the same time as he is making these public statements about incineration. Can he do this?

Hon Mr Bradley: First of all, I want to indicate exactly what I have said on this. There have been some people, of course, who have misrepresented or misinterpreted what I have said. Fairly clearly what I have said is that in achieving the—

Mr Jackson: This is no time to bring up your last cabinet meeting.

Interjections.

Hon Mr Bradley: I do not know if I can answer with the interjections from the member for Burlington South and the member for Hastings-Peterborough, but I will—

The Speaker: Don't bother.

Mr Brandt: As one who never interjects, I know how difficult it is for you to be interjected upon.

Hon Mr Bradley: That is fine. I will just wait, or shall I try to answer?

Mr Brandt: Why don't you just wait?

The Speaker: Order. I am glad the minister is learning and I am sure he will have a very brief answer for the member.

Hon Mr Bradley: Some municipalities have asked the question, can they use incineration as a way of diverting waste? My answer is no, they cannot use it as a diversion method because

diversion is diversion from getting rid of the garbage, in other words, disposal of the garbage.

There are two ways of disposing of garbage. One is by landfilling, the other by incineration. What I have said is that they cannot use incineration for the first 25 per cent diversion by 1992, and by 2000 they cannot use it for the diversion from 50 per cent. In other words, they cannot simply burn the garbage and say, "Look, we have just diverted it, we have just reduced it," or something like that. They cannot do that.

What they would have to do is recycle or reuse or they would have to reduce the garbage before they could consider—

Mrs Marland: Can I have a supplementary, Jim?

Mr Jackson: Run out the clock, Jim.

The Speaker: Order. I want to thank the member for Burlington South for his assistance. Now I will recognize the member for a supplementary.

Mrs Marland: In Mayor McCallion's letter, she is saying that the minister's address to the Recycling Council of Ontario is in conflict with the fact that his ministry has given a certificate of approval for the incinerator project in Brampton and she wants to know what his clarification is. Does the minister support the incinerator in the region of Peel, or is it in conflict with his public statements to the recycling council?

Hon Mr Bradley: One thing I do know is that the member for Mississauga South strongly supports incineration because she was chastising me during the estimates for eliminating one of the four Rs and going with three Rs.

Mrs Marland: Not true.

Hon Mr Bradley: That was exactly what happened in estimates.

Clearly, any incinerator which is approved must deal with that which is left over after they have achieved the 25 per cent. In other words, we want to divert from either incineration or from landfill. To achieve that, we use reuse, we use reduction, which is another way of doing it of course, and we think that recycling is also a good component, and there you have it.

If they are using that for the other 75 per cent to 1992 or for the other 50 per cent to the year 2000, then of course it is acceptable. If they were using it as part of their diversion, then that would not be acceptable. I think that is very clear and that is what I have said.

INTRODUCTION OF BILL

OMBUDSMAN STATUTE LAW AMENDMENT ACT, 1989

Hon Mr Scott moved first reading of Bill 80, An Act to amend the Ombudsman Act and the Child and Family Services Act, 1984.

Motion agreed to.

ORDERS OF THE DAY

OPPOSITION DAY

GOODS AND SERVICES TAX

Mr Laughren moved opposition day motion 4:

This House resolves that given the regressive nature of the federal goods and services tax, this Liberal government will, under no circumstances, participate in a joint federal-provincial sales tax on goods and services.

The Speaker: You have heard the motion by Mr Laughren. I will remind all members once again that the time this afternoon on this discussion will be divided equally among the three parties, and if the mover wishes to reserve any of that time, that may be reserved out of his party's one third of the time. I will now recognize the member for Nickel Belt.

Mr Laughren: This resolution, I thought, was necessary to come before this House for a number of reasons. Most of us understand very clearly that the federal government has announced that it is going to introduce a goods and services tax, GST, by 1 January 1991, and that that tax will be on a very broad range of goods and services, broader even than the tax that Ontario imposes on its goods and services.

The Premier (Mr Peterson) has stated on different occasions that he does not like the federal government goods and services tax. The Treasurer (Mr R. F. Nixon) said he did not particularly like it either, but he sort of mumbled when he said it and left many of us to wonder to what extent he really opposed it and to what extent he did not. He said some things, that it was too high or that perhaps if it was a little lower; he talked about a problem of rolling the two taxes together; he talked about the federal government intruding into what has been traditionally Ontario territory, namely, the sales tax field.

For those reasons I thought it best that we should clear it up for the people of Ontario, so that they know exactly where the Liberal government stands when it comes to the federal government's goods and services tax. Surely to goodness it is not appropriate for the Premier of the province to be talking about this tax not being

in Ontario's interests while the Treasurer of this province, at the very same time his Premier is saying he does not like it, is doing whatever he can to make it easy for the federal government to implement the goods and services tax.

I feel it is time that we had some open government around here and some statements by the Treasurer that indicate just how he feels about the goods and services tax. I am surprised that he is even being ambivalent, so I went back and I checked some of the statements that the Treasurer and his Premier had made on the goods and services tax.

Back about a year ago on 1 November 1988, the Treasurer said that he was not opposed to the idea of the GST in principle. I would put to members that this is the very reason he should be opposed to the goods and services tax: on a matter of principle.

The Deputy Speaker: There are many private conversations in here. Could we respect the standing orders, please? The only member who has the floor right now is the member for Nickel Belt.

Mr Laughren: In November 1987, this is what this Treasurer had to say about sales taxes. He said and I quote:

"Many concerns have been expressed about the possible impact of a new, broad-based sales tax on low-income Canadians. This government will not enter into an agreement on a new national sales tax unless we are provided the flexibility to ensure its fair application for low-income individuals and families through a system of tax credits or exemptions...Ontario's response to these changes will be guided by the need to maintain the ability of the tax system to deliver adequate revenues in a fair, competitive and simple fashion."

The Treasurer said that in this assembly on 18 November 1987. He also said two years prior to that when we were dealing with his own budget, "Sales tax is a revenue that we want to keep under strict control and, if anything, increase what little progressivity there is by improving tax grants and by keeping it as low as it is practicable." That was on 5 November 1985.

Well now, today, on this very day in this assembly in response to a question from my leader, the Treasurer said plain and simply that he thinks the sales tax is fair. He thinks it is fair. What happened to those previous pronouncements? What happened to those previous expressions of concern about the regressivity of the sales tax? It is truly remarkable what this

government has done with taxation since it came to power back in 1985.

The Treasurer sounds remarkably like someone who is not generally associated with Liberalism, somebody who was named Adam Smith, who many members know was the great believer in the invisible hand of the marketplace looking after things out there. He was very much a conservative, but nevertheless a consistent conservative. This is what he said:

"The subjects of every state ought to contribute towards the support of the government as nearly as possible in proportion to their respective abilities, that is, in proportion to the revenue which they respectively enjoy under the protection of the state."

That was a conservative making an argument for a more progressive kind of tax. This Treasurer now is in the position of supporting a Conservative tax measure at the federal level that is not based on ability to pay. No matter what your income, you are going to be paying the same amount of tax on everything you buy. That is what people clearly understand about a sales tax.

If the Treasurer says that is what tax credits are for, that is a silly argument. The Treasurer's own tax credits in the province of Ontario have not even kept up with the rate of inflation. This year when the Treasurer raised the sales tax by one per cent, from seven per cent to eight per cent in Ontario, did he touch the sales tax credits in this province? Not a penny.

Since those sales tax credits were introduced in the province of Ontario—I believe, if memory serves me correct, in 1974—they have not kept up with the rate of inflation and it would take about \$300 million to bring them up to that level. So for the Treasurer to say that sales tax credits will look after the regressivity problem simply makes no sense at all. Given his history, it makes even less sense than zero. It really is a sad commentary when a Liberal embraces such a conservative tax policy as the federal goods and services tax.

1510

If this Treasurer and his Premier do not like the goods and services tax, if the Liberals do not like the goods and services tax, they should have been saying from day one to Michael Wilson and Brian Mulroney: "We want no part of your goods and services tax. Do not look to us for co-operation on this tax. You are completely on your own if you are going to bring in this tax."

What does the Treasurer do instead? He says: "How can we help? How can we be a part of this?" We know why he wants to be a part of it. I just wish that the Treasurer, when he responds

this afternoon, will stand in his place and be perfectly honest about why he wants to go along with the federal goods and services tax.

I know what my suspicions are. My suspicions are, first, that it will raise a lot of money. Second, the federal goods and services tax will be applied to a much broader range of goods and services than is the provincial government's sales tax, particularly to services. I can see the Treasurer in a year or in two years saying, "In order to make it much simpler, we are going to tax precisely the same goods and precisely the same services that the federal government goods and services tax taxes." That is what he is going to say.

That will enormously increase the revenues of this Treasurer in a most regressive way. There is no doubt in my mind why this Treasurer is saying that he can live with the federal government's goods and services tax. It bothers me a great deal that just as the federal government is relying more and more on consumption taxes, and that is what a sales tax is, so is this government.

Of all the Organization for Economic Co-operation and Development countries, Ontario is one of the leaders when it comes to consumption taxes. We are much, much higher than the United States, for example, when it comes to the amount of taxes we raise by consumption. I feel very strongly, and so does my party, that the goods and services tax is probably the most regressive tax this Treasurer could possibly come up with to co-operate with the federal government.

I think of the situation with housing. For example, I commend members to the Toronto Star of Saturday 18 November, to an article by Warren Potter, a very thorough article on exactly what the goods and services tax is going to do to housing. I would love to hear how the Treasurer intends to soften the impact of the goods and services tax on housing. Mr Potter says that the tax, "to start with, is discriminatory. A person who buys a new home at \$310,000 or less will pay 4.5 per cent. Then there's a sliding scale so that people who buy homes at \$400,000 or above will pay the full nine per cent."

Right away you have a discriminatory tax depending on where somebody lives. If they live in a small community not in Ontario, then they will be paying 4.5 per cent and somebody else in Ontario will be paying nine per cent.

He goes on to say, "If you buy a resale house you don't pay any tax, but if you buy a run-down home and then substantially renovate it, it will be regarded as a new home and you will pay 9 per cent for those renovations."

The whole thing is a mess and for the Treasurer to be saying that he is going to co-operate with the federal government on the goods and services tax speaks volumes. It speaks volumes about his attitude towards—

Mr D. R. Cooke: To help them out of their mess. You don't want to help them out of their mess. Some Canadian you are.

Mr Laughren: I think the member for Kitchener is saying that he believes in the goods and services tax because it is going to reduce the deficit. I think that is what the member for Kitchener was implying. This has nothing at all to do with the deficit.

Mr D. R. Cooke: Nor did my comments.

Mr Laughren: The member is not supposed to comment anyway. The member for Kitchener simply made another irrelevant comment, which should not surprise anybody.

What the Treasurer is doing is hitching his fiscal star to the federal fiscal star, which is unbelievably regressive. Let me give a couple of numbers of what the federal government has done since it came to power in 1984.

For low-income families earning under \$24,000 a year, the burden of income taxes has increased by 60 per cent. For middle-income families, their income tax burden has increased by 17 per cent. High-income people, those earning over \$120,000 a year, have had a decline in their income tax burden of 6.4 per cent.

It is clear that the Treasurer is heading down a path of conservative fiscal and taxation policy and I would ask him to think very carefully before he takes Ontario down that path. We have an opportunity in this province, given the tremendous economic boom we have had in the last five years—well, the Treasurer puts his hand downwards. The other day when my leader suggested we could be heading for some problems the Treasurer said: "Don't be silly. You are just being"—

Hon R. F. Nixon: We have gone from six per cent to two per cent.

Mr Laughren: The point I am trying to make is that the Treasurer has an opportunity to provide Ontario with the fairest tax system of any jurisdiction in North America. He has that opportunity.

Hon R. F. Nixon: We think we have that. Sure we have that. Ask anybody over here.

Mr Laughren: We do not have that at the present time. The Treasurer obviously does not read his mail. He knows that even among other provinces, in Ontario, in this jurisdiction, we pay

a higher proportion of personal taxes than other provinces.

Hon R. F. Nixon: You have to balance that with the service.

Mr Laughren: We could get into a good argument on what he is delivering for that too. In conclusion, I would just reiterate that the Treasurer is wrong in supporting the federal government's goods and services tax. He should not be doing it.

Hon R. F. Nixon: I am not supporting it.

Mr Laughren: He is talking out of both sides of his mouth. That is what he is doing. He is doing the same thing with this as he did with the free trade debate. The Premier said there would be no free trade agreement unless certain conditions were met. Those conditions were not met and the Premier never opened his mouth again about the free trade agreement.

The Treasurer is trying to pretend that he is opposed to the goods and services tax when in fact he is salivating for its beginning. That is exactly what he is doing. The Treasurer can hardly wait to get his hands on the revenues from the goods and services tax. There is no difference between this Treasurer and the federal treasurer, absolutely none when it comes to taxation policy, and shame on him.

Mr Brandt: This is indeed an important issue and a very important debate, and on behalf of my party I am pleased to have this opportunity to participate and to put our views on the floor of this Legislature, perhaps for the first time in terms of sharing with the Treasurer the position of our party as it relates to a very controversial and sometimes misunderstood subject.

Let me say at the outset that I have great respect for the member for Nickel Belt, as he well knows. I always feel somewhat uncomfortable when I have to part company with him in connection with a motion he has placed before this House, and I may have to do that in the context of my remarks this afternoon. I do so with some reluctance. I have to take issue with the overall thrust of what the member for Nickel Belt is suggesting in his resolution.

First of all, the implications of this resolution really are quite startling when one recognizes that the position being put before this House is that under no circumstances whatever should the provincial government co-operate with the federal government in attempting to bring forward a fairer, more equitable, more understandable kind of tax system for this province and for this country.

I would say that to take that particular position is really quite an illogical and unrealistic position. I might add, and I say this to the members of the official opposition, the members of the New Democratic Party with respect that it really, I say to my friends, flies in the face of the heartfelt support their leader gave for Meech Lake. At that time their leader was saying, and I think convinced many members of the 130 of us here in the Legislative Assembly, that Canada is extremely important to each and every one of us, and he went on to plead for the case, when he spoke of Meech Lake, that there had to be a working co-operative relationship between all the partners to this Confederation of ours.

Now we have Mr Parizeau, the Leader of the Opposition in Quebec, talking in a very direct fashion about the fact that the federal deficit may well give Quebec a logical reason for leaving Confederation because it could set aside and put behind it this per capita debt that has to be paid by someone. He argued the case that Quebec might well be better off if it simply turned its back on some of the recognized fiscal and economic problems this country has.

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I am not going to stand before the members this afternoon and suggest that the present structure of the GST is something that I or the members of my party wholeheartedly support, because I want to state quite emphatically we do not. We are going to call for a structure that is considerably different than that which is before us at the moment. But we do not believe, and I say this in all sincerity, that any change in the structure can be brought about in an intelligent and sensible fashion without at least some kind of co-operation and dialogue with the provincial governments.

I would like to remind the Treasurer that he himself said—I always listen to his words of sage advice carefully—"There are no negotiations planned that I am aware of. The Minister of Finance for Canada terminated any discussions between himself and the Treasurer of Ontario and the treasurers of the other provinces."

I personally think it would be very wise to resume some discussions, but he has made it clear that they are going to proceed independently. I regret that, but that is federal policy. In other words, Michael Wilson has indicated, I suppose out of some degree of frustration, that he is going to take a very unilateral position as it relates to the GST. I do not think that is in the best interests of Ontario or, frankly, of Newfoundland, New Brunswick or any of the other 10 provinces.

If it is justified and if it can be argued, as it was in such an articulate and effective fashion by the Leader of the Opposition (Mr B. Rae), that we should perhaps set aside some of our petty differences—there are many, some of which are not so petty, some of which are very strongly held by members of this Legislature and by citizens of this province as it relates to the Meech Lake debate—surely to heavens when we are talking about putting together a new structure to make the Canada of tomorrow more competitive, to make the Ontario of tomorrow a more competitive province, to provide more jobs and to improve the economies of our respective jurisdictions, how can it possibly be that the Treasurer, who has not suggested this, absent himself from those discussions as this resolution and as this motion suggests?

It just boggles the imagination to even suggest that this kind of course of action could be contemplated.

What is needed at this time, and I address this to my friend the member for Nickel Belt, in my view is for some cooler heads to sit and dialogue this problem, to have some discussion in connection with how we can improve upon that which is before us at the moment. I would have to say in that same context that we would like to have an injection of common sense and a little less nonsense when it comes to talking about taxation policy for this province and for this country.

The Treasurer and I may be somewhat closer on this position than I had thought even a few weeks ago as it relates to at least taking a commonsense approach on behalf of the three levels of taxpayers, who I sometimes think we forget in this House. There are municipal taxpayers, provincial taxpayers and federal taxpayers.

When you ultimately come down to the final test, that poor taxpayer has only one pocket and he frankly does not care about transfer payments, sophisticated mechanisms for sharing dollars and all these kinds of things that we in our brilliance think we bring forward to initiate on his behalf. Those things are not of interest to the taxpayer. What he is looking for is fundamentally, I believe, good value for his dollar invested.

If there are ways of bringing in a more efficient means of tax collection where we can reduce the size of the bureaucracy, as an example, instead of having two levels of sales taxes and two levels of collectors and an additional layer of bureaucracy which is going to cost somebody money, namely, that single taxpayer again, should we

not be trying to find a way, for once, to build some efficiency into the system so that we give the poor guy who lives down the street a little bit of a break and charge him fewer dollars than perhaps might otherwise be the case?

I would argue that the burden of the deficits at all three levels of government is a crushing burden that we as members of this assembly have to address, and I think address very quickly.

The federal deficit—let's put the numbers into perspective—has now reached \$352 billion. I am not going to engage in a partisan litany of who is at fault for what. We all know the deficit was climbing very rapidly during the term of an earlier government, and I am quite prepared to concede that the rise in the rate of the deficit has not abated as much as I would like to have seen it abate during the term of the current government.

I would like to rest the debate simply on the understanding, without getting partisan, that the deficit is a problem that has to be addressed by this country. If we will at least acknowledge that, then we can go to work on how we might be able to tackle that problem in a co-operative fashion.

The deficit works out, and this is a startling number, to \$13,500 for every man, woman and child. That is an absolutely staggering amount of money and it limits our federal government's ability, quite frankly, to respond to some of the pressing social programs we need in this country and also to some of the economic priorities we have in terms of alleviating some regional disparities that have to be addressed as well.

The reality of the situation that led to the proposed tax changes, as it relates to the debate we are engaging in this afternoon and as it relates to the proposition that has been put forward by the federal government, is that all three federal parties agreed that the manufacturers' sales tax must go. In that we had some degree of unanimity. In that we had some degree of at least agreement that there was a problem with respect to the manner in which that tax was being collected and that we had to move in the future to collect the tax in a more equitable and fairer fashion that would work better for the economy of Canada and for Ontario.

It appears, I have to say, that the provincial Treasurer agrees at least in part with that statement on the part of the three federal parties that the manufacturers' sales tax must go, because he has alluded to the fact that it is a silent killer of jobs. There is no question it hurts our exports and increases the price of certain products we purchase here in Ontario.

What we are appealing for in our party is a commonsense approach that we believe will eliminate one tax, which it has been agreed is a bad tax, the manufacturers' sales tax, and replace it with another tax. Here is really what the debate is all about, because there is no debate, frankly, among the three federal parties on the fact that the manufacturers' tax should go. The debate starts after that point, as to what should replace it.

Is it logical, and have any of the three federal parties have said, "Get rid of this tax," but recognizing the deficit, recognizing the demand for certain programs, are we going to replace it with nothing? No, they have not said that. They have all said, "We want to bring in a fair tax, a new tax, a tax that is more equitable, a tax that recognizes that those at the lower end of the income spectrum may not be able to pay"—which I agree with—"a regressive sales tax." I agree that sales taxes, by and large, are regressive in nature. I have no difficulty in accepting that principle.

1530

Our party believes a new tax must meet certain conditions, and here is perhaps where we part company with our federal counterparts. We feel that the new tax must, first of all, stand these tests: it must be administratively simple; it must be something that is not so complex and so difficult to administer that it is going to cost us a lot of money, wasted money that we have to collect in the first instance before we can pay it out.

When I talk about wasted money, I am talking about the suggested 5,000 bureaucrats, the new army of tax collectors that we are going to unleash on the poor, innocent taxpayers of this country. We do not think that is necessary. We think some form—and I am not giving members the bottom line on what the structure might be this afternoon—of co-operative undertaking by the two levels of government, by the feds and the 10 provincial governments, could bring about a tax which makes more sense from an administrative standpoint.

We believe any such new tax that is introduced must be an equitable tax. It must be fair, and depending on the rate at which the tax is brought in—and I know the suggested rate now is nine per cent; I agree with my friend from the New Democratic Party, the member for Nickel Belt, that the tax could be an inequitable tax as it relates to those at the lower end of the income spectrum—I think we have to try to drive that number down as low as possible, at the same time recognizing that revenues are needed to pay the bills.

We think as well that a joint tax, a co-operative undertaking in consultation obviously with the provincial governments, would be a tax that would be easier to enforce, easier to understand and it would be more efficient. We also think—and this is an important point that I want to raise at this particular time—this tax would be replacing a very negative, very regressive tax which has been generally accepted as a bad tax, namely the manufacturers' tax; but to replace that with something that is a futuristic-looking tax, one that recognizes the realities of our international trading competitors, is one that will improve the competitive position of Ontario and of Canada. I think the Treasurer, in fairness to him, has acknowledged this fact as well.

Without moving, necessarily, to a fixed position on what should replace the manufacturers' tax, he has at least acknowledged that is a bad tax. How can a tax be anything but bad when already something in the order of—forgive me if I have not got the right number, but I will be close—22,000 amendments have already been made to that particular tax exempting certain products from the tax itself. It does not make any sense to leave that sort of an archaic piece of legislation on the federal books, because it obviously is not working. It has outlived its usefulness.

Where do we go from here? I have fought with this question in my own soul, as I know most members have, in terms of what is right not only politically, but what is right for this country of ours. Again I return to the argument of Meech Lake. If you can show some sensitivity towards the need for a co-operative confederation of 10 provinces and a federal government in the context of Meech Lake, surely to goodness you can recognize that the underpinnings of a strong Canada, the very foundation of this country, must in fact be constructed and must be built on a fair and equitable and reasonable position of taxation. That just follows logically.

It does not follow logically, as my New Democratic friends have suggested, that you get rid of one tax but that you suggest nothing by way of an alternative. I frankly think that is a bit of a copout, because if you are going to suggest that something is bad and you know full well that the ledger has to be balanced and the books have got to be kept in order, as the Treasurer of Ontario has so frequently said when he has to raise taxes in Ontario, and if you want to meet the demands of the citizens and the programs that they want—including, I might add, servicing the debt, for which now about a third of every dollar raised

by the federal government is used for that purpose alone—then you obviously have to come to a logical conclusion, my friends, and that is that something has got to replace this manufacturers' tax that this government is getting rid of.

Mr D. R. Cooke: But not something with 5,000 bureaucrats.

Mr Brandt: I say to the member for Kitchener, he is absolutely right. For one of the first times he has interjected in a debate in which I have participated, he has got my point. I am against 5,000 bureaucrats. I am against a tax which is unilateral and without the co-operation of the provincial governments. I believe there is a better way to go, and I want to state what we think is perhaps a method by which we might reach this kind of a uniquely Canadian consensus on how we proceed through this very difficult issue. I think it is important that some progress be made as we move towards a better level of understanding as it relates to the goods and services tax or some other form of a national sales tax, an NST, if you like.

First, I would call upon Prime Minister Mulroney to state that there will be a moratorium on the introduction of the GST until such time as the provincial treasurers have had an opportunity to sit again with Michael Wilson, the federal Minister of Finance, to see if in fact they can break this logjam. He is the one who suspended the discussions according to the provincial Treasurer. He is the one who telephoned and said, "Discussions are no longer going to continue."

I think it is the obligation now of the federal government, and I appeal to it, to reopen discussions with its provincial colleagues and to sit and see whether we can find some method of co-operation between the two levels of government. In other words, I say to the provincial Treasurer, "Let's open the door and see if we can return to the table."

Secondly, I think it is an appropriate moment for us to discuss the role of the Premier in this entire discussion. I think the Premier must show some leadership. He must back up his Treasurer and support the principles of a joint provincial-federal sales tax program, the structure of which, again, I am not going to discuss in terms of specifics other than to say I believe it will work better if we work it together. We think there is room for a better system, a fairer system and a system that will work to the betterment of all of us in Canada.

If the Premier refuses, and the premiers of other provinces refuse, then we are back to

square one and I guess we are back to the position where the feds are going to have to go it alone. We do not think that is the answer to the current dilemma. We do not think that is the answer to the problem that is facing our country and our province today.

Our party believes there is a need for a rather substantial overhaul of the tax system, provincially, municipally and federally. We think all levels of government are going to have to take a very introspective look at what it is they are doing to the taxpayer, because I have to say with the greatest of respect I am not going to allow this debate to simply degenerate into a partisan diatribe but I really believe that all levels of government make decisions with respect to taxation policy without really thinking through the impact on the taxpayer who is bombarded by all levels of government. I think we have to look at that total burden very carefully.

The tax system for the 1990s is going to have to be one that reflects a Canada which is strong, which is economically flexible and which allows us to meet that international competition that I talked about. We cannot expect Canada to compete with a slide-rule and a manual typewriter when the rest of the world is now competing with calculators, word processors and sophisticated computers.

We have to put ourselves on an equal footing with what other countries are doing and, whether we like it or not and whether we want to change the name of it, whether we want to alter the structure of it, the fact of the matter is that most of the international competition around this world has a form of goods and services tax which is a consumptive tax at the retail level rather than the archaic manufacturers sales tax which we have in place now. Virtually all of our competitors have shifted to a different type of tax, so the rest of the world, in fact, has made these changes. I am not saying they are necessarily right but I am saying those changes are in fact what has caused us to be in an uncompetitive position.

My friend the member for Nickel Belt has said, effectively, "Do not talk to the feds." How can we run a confederation, how can we run a country, how can we operate in terms of trying to come to grips with the economic problems that we have to face if we do not even talk to them or if we say, "Under no circumstances are we going to co-operate with them"?

I take the member's motion only slightly out of context when I say that, but that is exactly the implication of what he has put before this House. In other words, slam the door shut, do not talk to

the federal government about anything to do with taxation policy, and let's all march to the tune of our own drummer. What utter nonsense that is.

1540

I say to the member, there is a degree of hypocrisy here. Let me revisit it for a moment, if I might. This angers me. There is a degree of hypocrisy when, on one hand, he can argue passionately for this country to be kept together and held together under the context of a Meech Lake agreement and in the next question that comes up, when we talk economic policy—and let us not for one moment forget the fact that Meech Lake in fact has economic implications—when we talk economic policy and taxation, no, no more co-operation, slam the door, dialogue comes to an end; we are not having any conversation with those bad guys in Ottawa.

I know my time is running rapidly and I want to conclude my address in the next few short minutes. By way of conclusion, I appeal to the provincial Treasurer to look at this question with an open mind. I do not like taxes any more than he does. I do not like the direction being taken, I might add, nor do my colleagues in this party, by the GST as it is presently proposed, so if the motion on the part of the member for Nickel Belt was simply to reject today's proposal in connection with the GST he would have the unanimous support of my colleagues, because we cannot live with it the way it is at the moment. We want some changes. The member might have to live with it, because he is not prepared to talk and co-operate.

We are going to work constructively towards a better form of tax, a tax which is more fair, more equitable, more reasonable and which applies, I think, in a far more effective way to the needs of this province and this country. The feds have got to pay their bills too. When the provincial Treasurer stands up and talks about paying the bills for the province of Ontario, he rarely hears me interject, because I understand those responsibilities. I too sat in cabinet at one time. He has to pay bills like provincial transfers.

There will be members of this assembly, I assure members, who, if the GST does not go through in its present form or in some altered form or whatever and if provincial transfers are reduced, members of the official opposition will be the first ones to stand and scream at the federal government for not providing the necessary funds they require. If there is an alteration in the UIC payments, if there is an alteration in regional disparity payments, if there is an alteration of any kind they will be the first ones to say: "The federal government is opting out of agreements.

The federal government is going back on its word. It is not paying its bills."

I have to tell the member, he has never been in government; he may well never be in government. The fact of the matter is, however, there is a concomitant responsibility, on the one hand, to develop programs that meet the needs of the people and, on the other hand, to collect the money that you require to pay for those programs. We are simply saying there is a better way than what is on the table at the moment, but that is not what the member said. We think the alternatives that are out there are still worth pursuing. We think there are some alterations that can be made, perhaps, to lower the tax, to make the tax somewhat more equitable, to make it more applicable to the situation we face.

Opposition members would be the first ones and have been the first ones to talk about, "Don't cut Via, and don't cut this program or that program." Not once have I heard them come up with an alternative in tax policy other than taxing the rich. When we talk about taxing the rich, let's be fair about how—

Interjections.

The Deputy Speaker: Order, please. The standing orders seem to have been distorted a bit for a little while. The member for Nickel Belt will please allow the member for Sarnia to continue, and the member for Sarnia will always remember to address all remarks in the third person singular or plural through the Speaker.

Mr Brandt: I am glad that you admonished the member for Nickel Belt, and I too, sir, deserve your words of direction.

Let me address my remarks through you by simply saying the bottom line of the position of the Conservative Party of this province is that we favour some form of a national sales tax. We favour a one-level collection system which will reduce costs. We favour a co-operative undertaking between federal and provincial governments that will provide the maximum return to the taxpayers of this country for the minimum outlay in terms of taxation.

We think the motion proposed by the members of the opposition through the member for Nickel Belt, which reads as follows—and listen to this for a nation-building motion; if we are talking again about nation-building through Meech Lake and if we are talking about nation-building by co-operative dialogue between partners as we are supposed to have in a Confederation—listen to this motion; listen to what this motion says. I am going to read this motion because I think members would want to hear it.

"This House resolves that given the regressive nature of the federal goods and services tax, this Liberal government will, under no circumstances"—Wow.

Interjections.

An hon member: Read that again.

Mr Brandt: Yes, well, I have not finished yet: "under no circumstances"—I suppose even if the federal government gave all the money to the provinces the member for Nickel Belt would say that is not fair. Even if the whole program was based on the provincial government getting 100 per cent of the revenues, the member would stand up and say, "No, I think that is unfair."

Mr Laughren: That is right.

Mr Brandt: Well, I think you have lost a degree of your fairness and your balance on this, because it says "under no circumstances, participate in a joint federal-provincial sales tax on goods and services." I think that is utter nonsense.

Again, I want to appeal to the reason, to the sense of fairness and to the sense of balance that I believe to be the case of the majority of the members of this House and say, if we are going to nation-build, if we are going to correct some of the problems that relate to the deficit—

Interjections.

The Deputy Speaker: Order, please.

Mr Brandt: —the sharing of taxation in this country, we have to proceed on the basis of the co-operation, not on the basis of confrontation, as suggested by the member for Nickel Belt. Therefore, we are going to vote against this resolution.

Mr Reycraft: I am pleased to have an opportunity this afternoon to join in the debate on the resolution that has been brought forward by my friend the member for Nickel Belt. I listened very carefully to the remarks by the member for Sarnia. His speeches in this House are more and more making him sound, despite his protestations, like a contender for the leadership of his party.

I am happy to provide my endorsement. The resolution from my friend from Shining Tree, the member for Nickel Belt, addresses an issue that is of great concern to a large number of Canadians and Ontarians and of great importance to this province and this country. The issue, of course, is the proposed federal goods and services tax, a tax that the federal government has suggested it wants to implement effective 1 January 1991.

I want to say at the outset that there should be no confusion about the opinion of this government on the proposed goods and services tax. We find the tax to be unacceptable. It is that simple. The Treasurer, as recently as last month, at the meeting of finance ministers, very clearly expressed that opinion to the federal Minister of Finance. The Premier, just the week before last at the first ministers' conference on 9 and 10 November repeated that position.

We are opposed to the goods and services tax as it has been crafted and put forward by the government of Canada. We are extremely concerned about its impact on our taxpayers and about the impact on the economy of this province.

1550

I want to talk for a few minutes this afternoon about how we believe the economy will be affected by the proposed goods and services tax, but I also want to talk briefly about that other tax that is involved in this debate, the tax that is proposed to be eliminated, that silent killer of jobs that Michael Wilson has talked about, the federal manufacturers' sales tax.

That sales tax, I think it is agreed by all parties, represents a significant impediment that hurts the manufacturing industry of this country. It puts a tax burden on our manufacturers that makes it very difficult, perhaps impossible, for them to compete both in foreign markets and in domestic markets with the manufacturers from other countries because those foreign manufacturers simply do not have to contend with the burden of that kind of manufacturers' sales tax.

Any change in public policy that makes our manufacturers more competitive, that gives them a better chance in competing in that world economy both in foreign markets and in our own domestic market, is something that I think has to be very carefully considered.

The reasons should be very simple and obvious for everyone to see: a healthy manufacturing industry in this country secures existing jobs and also leads to the creation of more jobs. That, in the broad scheme of things, should make this a more prosperous nation.

The government of Canada is not entirely blameless in the uncompetitive position that our manufacturers have been placed in as a result of this manufacturers' sales tax. It is not a new tax. The manufacturers' sales tax has been in existence since 1924, for some 65 years. It is generally applied to the sale of goods by the manufacturer and the tax is based on the price that the manufacturer sells the product for. That

price, of course, is much less than the price to which the proposed goods and services tax will be applied.

The manufacturers' tax is a very complicated one, and my friend the member for Sarnia has alluded this afternoon to some of those complications. But it seems to me that there are three very specific features of the tax that tend to complicate it. One of those is the fact that there is a large host of exemptions from the manufacturers' sales tax, exemptions that are based on the nature of the goods and on their end use, as well.

The second thing that tends to complicate the manufacturers' sales tax is the fact that there are a few goods that are exempt from the tax at the manufacturers' level but that are taxed by the same tax at the wholesale level. I think an example has been made. Televisions, for example, are an example of a product that is subject to that kind of tax.

The third complicating feature of the manufacturers' sales tax is the variation in its rate. Most goods are subject to a manufacturers' sales tax that is now 13.5 per cent, but there are exceptions to that. Some goods are taxed lower. Construction materials, for example, are taxed only at eight per cent. Other goods, alcohol and tobacco, for example, are taxed at a much higher rate, at 19 per cent.

I indicated a minute or two ago that the federal government is not entirely blameless in the impact of this so-called silent killer of jobs. If that is what it is, and I agree that it is, then I think the federal government has to accept responsibility for some of the casualties.

The manufacturers' sales tax, while it has been around for 65 years, has not always been at 13.5 per cent. In fact, in the most recent federal budget, it was increased by one per cent from 12.5 per cent where it existed last year.

If we look back to 1984, when Brian Mulroney won that record majority in the House of Commons and the Conservatives took over the government of Canada, the manufacturers' sales tax at that time was only nine per cent, and today, five years later, it is 13.5 per cent. They have increased the manufacturers' sales tax by 50 per cent in that five-year period.

The manufacturers' sales tax now produces for the federal government revenue of about \$18.5 billion. The proposed goods and services tax will generate some \$24 billion. It is that difference, that \$5.5 billion difference, that is of greatest concern to us, because we believe that \$5.5 billion difference is going to have a very

significant impact on the economy of this province and of Canada.

We know that the federal Minister of Finance has said that some of that \$5.5 billion is going to be used to reduce taxes for certain groups. But the point remains that it will still represent \$5.5 billion that is going to be taken out of the economy of this country in the form of taxation. That can surely have nothing but an upward impact on inflation. Indeed, in the technical paper that Mr Wilson released in August of this year, he has suggested that the consumer price index will be affected upwardly by 2.25 per cent more than the customary or background increase in the consumer price index.

Our own officials within the Ministry of Treasury and Economics have suggested that the impact will be greater than that. They have suggested that it will be closer to three per cent. Whether they are right, or whether the Minister of Finance is right, the fact remains that we can look forward, if this tax is implemented in its present form, to an inflation rate of somewhere between 8.5 per cent and nine per cent in 1991.

That will have an impact. It will lead to an increase in interest rates, which will have an impact on consumer spending and cause it to decline. There will be a resulting loss of employment across the province and across the country as a result of that, and also an increase in pressures for higher wage settlements that must follow in consequence. All of that will put us back into that inflationary spiral that led us to the recession we experienced in the early years of this decade.

We have other concerns about the impact of the tax, but other colleagues are going to address those this afternoon. The resolution of the member for Nickel Belt has, as the member for Sarnia (Mr Brandt) has reiterated, asked the provincial government to under no circumstances participate in a joint federal-provincial sales tax on goods and services. It suggests that because this goods and services tax is poorly designed, because the government of Canada has not done a good job in putting it together, that we should agree to never participate in a joint tax.

I think what the member for Nickel Belt is saying is that because the federal government has proceeded with a badly designed tax, that somehow we should punish the taxpayers of Ontario by agreeing to never combine theirs and ours. Because the fact remains that the superimposition of the two taxes, the federal goods and services tax over our own provincial sales tax, will leave the people and businesses of this

province with two separate sales taxes, with two different tax bases, with two different tax rates, with two different sets of remission forms, with two different administrative bureaucracies. That will result in a system that is complex, that is complicated, and is costly.

I have looked very carefully at the resolution from the member for Nickel Belt. It is not one that I can support and I look forward to the comments of his colleagues in his party and other members of the Legislature this afternoon.

1600

Mr Mackenzie: I am pleased to rise in this House and support the opposition day motion that is before us, a move by my colleague the member for Nickel Belt. I simply am compelled to make one or two comments before I get into the remarks that I really have prepared for today and those comments deal with surprise, even a little dismay, if I can put it that way, at the leader of the Conservative Party, who I wish was here.

When I heard the leader of the Conservative Party say how most of his own colleagues would not really support this GST and wanted revisions or changes to it, then heard his attack, which was a rather intemperate one in terms of fact, on my party over whether or not we had ever before laid out any suggested changes in taxes to resolve some of the problem, it made me realize all of a sudden just how desperate the Tories are to have somebody on side with them and obviously it is the Liberal Party of Ontario they are hoping to have on side with them. They do not want to face the electorate in this country and they do not want to go through the next year of debate in this country over the GST. It is obviously totally rejected, about as totally rejected as any proposition I have seen in the years that I have been involved in politics in this country of ours. People just do not like it, do not want it, they know it is not fair, they know it is a lousy way to raise taxes in this country. The Tories obviously do not want to have to carry the can alone on this particular issue.

I guess I was even more disappointed with his comments that somehow or other we were opposing this GST and not willing to put forward any alternate proposals. That is not like my colleagues in the Tory party. I have rarely ever supported them, but at least, unlike the Liberals, I have usually found that they do not mislead you or that their information is pretty meaningful, well meant and it is an honest position they take. I am sure the leader of the Tory party knows very well that this party has suggested dealing with the multitude of loopholes, both for corporations and

the wealthy. They know very well that we have dealt with wealth tax, they know very well we have suggested speculation taxes. There are any number of specific proposals that this party has put forward time and time again. I guess that is the only point at which I am a little bit hurt, to be honest, by the uncalled for and untrue comments of my colleague in the Conservative party.

Leaving that alone or having relieved myself of those feelings of a little bit of disappointment in the Tory party, I want to say that just over a month ago I stood in this House and accused the Premier of being so deep in the pockets of business that if he were at all human he would choke to death on the lint in that pocket. I have to tell you, Mr Speaker, that my conviction in this regard has been reaffirmed by this government's stand or the uncertainty of its stand on the federal goods and services tax. It is unfortunate, but when you start hearing a Liberal government tell you about what they are against, you just take a look at the last two or three years and immediately you get scared.

Ontarians of all walks of life are worried and confused about the federal government's plan to impose a new sales tax on almost every product and service that we can buy. But instead of reassuring the people of Ontario, the Treasurer takes a stand only on behalf of Ontario's economic elite: big business, society's wealthy. This is unconscionable. As the Treasurer is well aware, the federal government's proposed GST, set to come into force at the start of 1991, will have a profound detrimental effect on economic growth in this province.

This of course comes at a time when Ontario's economic growth has already been projected by the Ministry of Treasury and Economics to be reduced to two per cent annually, down from an average of about 5.5 per cent a year over the period from 1985 to 1988. The proposed GST would add to this decline by boosting the consumer price index by an average of 1.6 percentage points annually, from 1991 through to 1993, and would cause a loss in average real growth of 0.2 per cent annually.

The Treasurer is, of course, well aware of these facts since it was his ministry that projected these figures. The impact of these figures is, however, not addressed by the Treasurer. So let me tell him what the impact would be. It would reduce employment growth by an average of 18,000 jobs a year. In fact, most estimates place this figure even higher. Job loss attributable to the GST has been forecast to lie between the 60,000 and 80,000 range in the first three years

of the tax. Again, I say this is simply unacceptable.

That of course is not all. When this reduction in employment growth is coupled with the higher prices resulting from the general sales tax, the very real impact for all Ontarians is the erosion of their real personal income. Consumer spending will be particularly hard-hit by the proposed GST.

What groups will be hardest hit by all of this? Mr Speaker, I am sure you have looked at it. Let me tell you, it certainly will not be big business and society's wealthy. One merely needs to look at the list of items that are subject to the GST to understand the point I am trying to make. Bowling—we will be paying the nine per cent on it; movies; popcorn at the theatre; video rentals; take-out pizzas; snack foods, and even your takeout burger at McDonald's are all subject to the proposed GST. This is not the stuff of champagne wishes and caviar dreams, this is the entertainment of Ontario's working-class people.

What about our young couples? Couples already have to think twice about starting a family today, because the cost of doing so is prohibitive, but the GST makes matters even worse. Now there will be a tax on children's clothing, and for God's sake, even on diapers. But do young couples have a choice? No. We are not into promoting family planning, we are taxing condoms. Again, this adversely affects the younger generation.

In the area of education, the GST has a similar impact. The federal government's new tax is helping to make post-secondary education exclusively available to the rich. The cost of education is already out of reach for some families, and the new tax will make matters worse. It will increase the cost of everything for students from essentials such as textbooks to individual lessons and to courses that do not lead to a diploma or a degree. Can we really support a tax that makes education in this province a luxury rather than a right?

Lastly, let's look at the transportation items that are to be taxed under the GST. These include what is left of train travel in Canada, and intercity bus travel. Who uses these services? Certainly not Canada's chauffeur-driven élite. It is the working people of this province once again, those who cannot afford a car, especially now that the purchase of a used car is to be taxed as well. This scenario is repeated in air travel as well. The tax does not hit those lucky few who spend their holidays abroad, but rather it hits

those whose budgets allow them to travel only within Canada and the United States.

If it is true that the GST has a disproportionately adverse effect on Canada's working poor people, why is it that the Treasurer of Ontario has not raised any of their concerns in this House? He has not raised one of them that I can recall. Why has he commented only on issues that affect society's wealthy and big business? I would argue that the reason for his silence is because he is in fact the minister for big business in Ontario. He, like the rest of the Liberal government in Ontario, has very little concern for the working people of this province.

Hon R. F. Nixon: That's not what big business says.

Mr Mackenzie: They do say.

What he cares about is the rich who want to get richer, and there he is concerned that the tax on land and house, in the case of new housing, is unfair and damaging to the housing crisis. I ask you, Mr Speaker, who is it in this province who is affected by this issue? First and foremost, it is developers and home owners, not the tenants of Ontario.

The Treasurer's second concern relates to the fact that the tax will be assessed on purchases by municipalities, universities, school boards and hospitals. Again, this is not out of a deep-seated concern for working-class Ontarians, but rather because this increased cost may mean an increased strain on provincial funding.

1610

Lastly, the Treasurer objects to the rate of the tax; not the nature of the tax, but the rate. The Treasurer seems to be saying that maybe a reduction from nine per cent to seven per cent—yes, the tax will be less of a tax grab at seven per cent, but the tax is no less regressive at seven per cent than it is at nine per cent. There is a principle to be upheld here, so how can the Treasurer say that he is not opposed to the idea of the GST in principle? That was his exact comment in the *Toronto Star* of 1 November 1988. It is precisely in principle that the Treasurer should be opposed to the GST.

Sales taxes are the most regressive taxes of all, and I think it is time to wake up and smell the coffee, as my leader told some of the trade unionists today. This government is wrong when it says that the sales tax is a fair tax. "It's up front, it's democratic and people know where it comes from." Once again, the Treasurer's remarks in the *Toronto Star* of 27 May 1988. The fact that the tax is visible does not make it fair.

I would like to urge the Treasurer to return to liberal doctrine and refocus on the writings of some of its most eloquent exponents. I think it was John Stuart Mill, after all, who said, "Equality in taxation means equality of sacrifice."

I cannot leave without two or three comments that I think really put some of this in focus. Treasurer Robert Nixon, the *Toronto Star*, to repeat once again, 27 May 1988: "We think sales tax is a fair tax. It is up front, it is democratic and people know where it is coming from."

I can recall sitting down with the Treasurer of this province in the standing committee on finance and economic affairs and hearing him say that in principle he opposed this idea, but—and then he went into the amount of money. As I have said before, you could almost see the dollar that sales taxes can produce in the province signs going around in the Treasurer's eyes. How easy it is.

Sales taxes, all of us know, are not fair. Tax fairness means, as far as we are concerned, a minimum corporate tax. Tax fairness means that over 700,000 individuals earning less than \$10,000 per year should not be paying income tax. Tax fairness means that the kind of breaks that we have for the hundreds and thousands of, in many cases, major corporations that are paying no taxes today should not be in that position and that the loopholes should not be there for the wealthy in this province.

I think we have to point out that in 1985 provincial sales taxes—and I say this because of the remarks made by my colleague—and I forget the riding but the former government whip—the member for Middlesex (Mr Reycraft) about the increased taxes that the Tories have brought about federally since they took office. I would point out to him that in 1985 provincial sales tax in Ontario was seven per cent and raised \$5 billion. By 1989 the Liberals had an eight per cent sales tax that raised \$8.6 billion. I want to tell the members that this government is doing as much of a grab on the ordinary people in this province as the federal Tories are doing, so I do not think this government can get away with that kind of an argument.

Gas taxes have increased from 8.8 cents per litre to 11.3 cents in the same period of time and 14.3 cents per leaded litre. Property taxes double the rate of inflation in most municipalities, and there is a direct tie-in to the cutbacks in transfer funding to local municipalities. The figures are available for all the major regions in this province. The tax grab that has already come

from this government equals anything the Tories are doing.

I think the message that has to get out and will get out to the people is simply that we have two parties here, obviously from the comments of the leader of the Tory party earlier, desperate not to be left alone trying to defend themselves in this issue, and no clear message. Maybe this Treasurer will come down finally saying, "We will have nothing to do with it," but I doubt it, from the comments I have heard in this debate so far; but no clear message from this party as to what it is going to do in terms of the GST. As a matter of fact, the comments we are getting in the paper are that, simply, some kind of deal worked out would be much more efficient and much better for the province of Ontario.

It is a sad day, whether people like it or not, when a member has to stand in this House and say that he simply does not trust what he is being told by a government in the province of Ontario. I do not like being in that position. I do not care how partisan we get in this House, but I have to tell the members, when I hear comments come from this government about what it is going to do or not going to do, whether it is taxes or free trade or auto insurance, I do not trust them one iota, and I do not think the people in this province should either.

It really is something when we look at what we are facing in this debate and why it is so doggone important that people do start thinking seriously about what all of us are saying and then make their judgement on who is right or who is wrong.

We are now going to see up to a nine per cent, or whatever they come up with, tax assessed, on not only all the items that I mentioned earlier—heating and electricity bills, funerals, taxi fares, haircuts, real estate and legal fees on all homes, postage stamps when you want to write to your friends. My God, what they are doing with this tax is almost sacrilegious.

We do not have any clear indication that we can expect any real defence in the hard, solid terms that my colleague has suggested from the Liberal government of the province of Ontario. I say shame on them and I say a pox on both their houses.

Mr J. M. Johnson: Just before I get into the debate, I might just mention to the member for Hamilton East that he should not be in such bad humour and disappointed with the comments made by my leader. After all, his Hamilton Tiger Cats did win the eastern division of the Canadian Football League, and with a little bit of luck they may go all the way. So the member should be a

little more charitable towards my leader. We need a lot of charity just now.

I am pleased to participate in this debate and to put on the record some of the concerns of my constituents and many of the municipalities that I represent, and concerns about taxation in general, including the goods and services tax.

I start by saying, quite clearly, that I cannot support the resolution as presented by my good friend the member for Nickel Belt (Mr Laughren): "This House resolves that given the regressive nature of the federal goods and services tax, this Liberal government will, under no circumstances, participate in a joint federal-provincial sales tax on goods and services."

I think the member for Nickel Belt really did not mean that, under any circumstances. There must have been a slip in typing or something. He did not write it. My colleagues think that perhaps his leader drafted his speech and the member did not read it, but I cannot accept the logic that under no circumstances should provincial and federal governments work together to design a simple and fair tax base. I think it is the opposite.

Both the federal and provincial governments should be working towards implementing a national sales tax. It just does not make sense, a federal GST and a provincial retail sales tax.

I was in business for over 30 years and it was a darned nuisance collecting the provincial sales tax. It started out at three per cent and steadily rose until it is now eight per cent, heading towards nine.

It is a problem for the small retailers to collect the tax now. It will be dramatically compounded by getting into the GST, and it just does not make sense that the Treasurer has to be so stubborn that he cannot work with the federal Minister of Finance and implement one tax. He should give it serious consideration.

I am sure that everyone here would agree, certainly the two members from the New Democratic Party, that the present manufacturers sales tax is not acceptable and should be abolished. If the manufacturers sales tax is eliminated and if Canada is to be competitive in exporting in the world markets, then it should and must be eliminated. This is the case and the tax base must be replaced by some other tax. Federal, provincial and municipal needs are not reduced; in fact, they are continuing to increase, and we need some form of taxation.

The member for Hamilton East has suggested there are several other methods. He says that they brought it to the attention of this House on numerous occasions. Perhaps the member for

Nickel Belt, when he sums up, could just highlight these areas where he would like to see taxes increased to offset this.

Mr Laughren: Did Bob Runciman write this speech?

The Acting Speaker (Mr Cureatz): Order. I would like to bring to all members' attention that as I was watching the monitor, my predecessor indicated that comments should be made directly through the chair. That is in regard to those particular members who are speaking and those who are interjecting who are not in their places.

1620

Mr J. M. Johnson: The federal finance minister, the honourable Michael Wilson, has indicated on numerous occasions that he is willing to sit down with the premiers or the treasurers if they can bring to the table an alternative to the GST which they will support. What alternatives have the Premier or Treasurer, or indeed the member for Nickel Belt, presented? None that I am aware of that are meaningful, none that will replace the manufacturer's tax. Perhaps, as I mentioned earlier, the member for Nickel Belt can comment on this later. I wonder if the member for Nickel Belt is really presenting this resolution in preparation for his convention next week in Winnipeg and this is a platform that may be adopted.

However, in all fairness, I do commend that same member for trying to ferret out the Premier's position, and indeed the provincial Liberals' position, on this issue respecting our tax system in this province and this country.

That is not easy. I strongly believe the federal government and the provincial government have a responsibility to work together in the best interests of the same people we all serve, our constituents. On this note, I would like to add a third level of government, our municipal governments, which also serve these same people.

As I mentioned earlier, many of my constituents have expressed concern to me about all levels of taxation, gas tax, tire tax, provincial sales tax, personal income tax, lot levies, income tax, the proposed GST, as well as municipal taxes, and I question very much whether the Treasurer could list the number of taxes he collects. Quite frankly, they are all sick to death of the taxes that are being levied on them, but as long as people want the services provided by the three levels of government, then most of our good citizens will accept a fair and equitable tax system. That is the responsibility of all the members of this Legislature, to work together

with our federal colleagues and our municipal politicians and devise such a system.

At this time I would like to read into the record a resolution from the town of Palmerston, county of Wellington, that highlights its frustration with the present system of taxation and financing of its civic needs. A letter was sent out to all the clerks:

"Dear sir;

"Please find enclosed a resolution passed by the council of the corporation of the town of Palmerston at its regular meeting of Tuesday, October 10, 1989 regarding recent provincial initiatives for consideration by the council of your municipality.

"The issues of provincial funding and transfer of responsibilities are very important to all municipalities and have direct implications on everyone's future taxation. Please have your council review this resolution and consider supporting it.

"The council of the corporation of the town of Palmerston would appreciate being notified of any action that your council takes on this matter. Thanking you in advance, I remain

"Yours very truly,"

Larry Adams, clerk-treasurer of the town of Palmerston.

To read the resolution into the record, resolution of the town of Palmerston, C-410-89:

"That, whereas local government revenues have not kept pace with increasing demands for funds; and

"Whereas local government revenue sources are limited by provincial statute; and

"Whereas the province of Ontario has displayed a tendency to transfer many added responsibilities to local governments while at the same time effectively reducing or eliminating various grants and subsidies; and

"Whereas this tendency seriously impairs the ability of local governments to execute local priorities and respond to local demands without incurring excessive debt;

"Therefore be it resolved that the transfer of responsibilities from the province to the local level be suspended; and further

"That the province of Ontario immediately commission a report whose terms of reference shall include but not be limited to:

"(1) scope of demands on local governments' revenues; (2) scope of local government revenue sources; (3) adequacy of existing local government revenue sources and (4) recommendation for future provincial funding commitments;

"and further,

"That pending receipt of the final report and action on its recommendations, all existing provincial unconditional grants be retained and increased January 1 of each year by the previous year's rate of inflation; and further

"That this resolution be circulated to all Wellington county municipalities requesting their support and to Jack Johnson, MPP.

It was carried, and I am very pleased and proud to support this resolution.

The following municipalities supported this resolution: the towns of Palmerston, Fergus and Harriston; the townships of Erin, Eramosa, Maryborough, Peel, Pilkington, Puslinch and West Luther. I am sure that most of the other municipalities in Wellington, and indeed in Ontario, would be very supportive of this Palmerston resolution.

In conclusion, may I just say that instead of following the recommendations of the member for Nickel Belt's resolution, "under no circumstances" should federal and provincial governments participate in a joint tax program, I submit the opposite, that indeed they have an obligation and a responsibility to all Canadians to work together to implement tax measures that are fair and equitable to all.

The Acting Speaker: The honourable member for York Mills.

Mr J. B. Nixon: Thank you, Mr Speaker. I welcome you to your new responsibilities. I am late, I know, but it is the first time I have had to congratulate you.

I want to do three things very briefly. First, I want to talk about the impact of the general sales tax on the housing market and the supply of affordable housing. Second, I want to talk about the impact of the GST on small businesses generally. Third, I want to talk about the context in which the provincial treasurers must operate in terms of dealing with the federal government, the federal Minister of Finance and their determination to proceed with this tax.

On the issue of housing and affordable housing, we all know that the proponents of the GST are proposing to tax new housing. They suggest that they will tax it a lower rate than the nine per cent. They are talking about taxing it at 4.5 per cent.

The problem is the federal government does not have its facts right yet. The technical paper that the federal government produced estimated the impact of the GST on new housing to be in the order of 0.3 per cent, or \$480 for the average price of a new home.

Canadian home builders took a look at this. Canadian home builders applied the tax rate to the real cost of housing and found out that the average cost of the GST is \$3,000 across Canada. In Toronto, it is \$9,200. That is how much every consumer in Toronto who buys an average new home will pay as a result of the GST. That is a big problem.

Some people have said the price of the GST is not applied to rental housing.

Mr Villeneuve: How much are the lot levies? Talk about them.

Mr J. B. Nixon: Well, it is true; no tenant will pay the goods and services tax on his rent. Nine per cent will not be tacked on to his rent every month—

Mr Wiseman: Land transfer tax, the lot levies.

Mr J. B. Nixon: —but nine per cent will be tacked on to all the goods and services that the landlord purchases, and if members think the landlord is going to eat those costs, they have another thing to think about. The landlord is going to pass those costs through to the tenants, so that nine per cent GST will apply to tenants just as much as it is going to apply to new home buyers.

Now, Mr Blenkarn is suggesting, or we hear rumours that he is going to suggest, that the GST should apply to used homes or resales. Suffice it to say that housing in Metro Toronto, housing in the province of Ontario is going to cost thousands, in some cases tens of thousands, of dollars more because of the GST.

Mr Villeneuve: How about lot levies?

Mr Speaker, do me a favour and calm these gentlemen down. Calm them down, will you? Do your duty.

Mr Wiseman: Tell us what taxes you put on.

The Acting Speaker (Mr Breaugh): Order, please. I have a member in distress here. It would be helpful. There seem to be a number of conversations going on in the chamber. I have no objection to that, just take it somewhere else and have your conversation. The member for York Mills has the floor, just barely.

Mr J. B. Nixon: I wanted to talk, second, about the impact of the GST on small business. The Canadian Federation of Independent Business recently issued a report. They called the GST the nightmare on Main Street; not Elm Street, but Main Street.

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They make two essential points. They are very concerned about the high rate of tax. They are

also concerned about the two-tiered structure. What do I mean by the two-tiered structure? Simply, there is a federal GST applied at nine per cent and there are provincial rates of sales tax varying from province to province, some as high as 12 per cent, I understand, in Newfoundland.

Let me say that what will happen under the existing proposal is that the province in its jurisdiction will apply the provincial sales tax; the federal government will apply the federal goods and services tax. Those are the two tiers. Under the GST, many small businesses will have to buy new cash registers just to compute two levels of taxation.

The problem is that some goods they sell will be federally tax exempt; some goods they sell will be provincially tax exempt; some will be exempt from both; some will be exempt from neither. For a small business that has to retain an accountant to take care of its books, that is not a simple prospect. It is not something they can take care of because they have to have a guy in there looking at both accounts, valuing every purchase and determining whether or not the tax applies or does not apply, and then remitting tax to the appropriate authorities.

The CFIB says and I quote, “This is complex and costly for smaller firms and belies the federal government’s promises of a sales tax system that small business could administer with their existing books of account.” They also point out, quite correctly, that a two-tiered system is inordinately costly to government since an enormous new federal bureaucracy of 4,000 civil servants is needed.

I remind my friends in the Progressive Conservative Party that those 4,000 federal civil servants will take care of collecting their leader’s tax. If they support the GST, they should stand up and say so. If they support the hiring of 4,000 more civil servants to collect the tax, they should stand up and say so. I have a problem with that. Many of my constituents do, as do theirs, I am sure.

The problem is not easily resolved. The CFIB suggests that the current GST proposal be withdrawn and the federal government reopen negotiations with the provinces with a view to achieving a simple, harmonized federal-provincial sales tax. That is what the Canadian Federation of Independent Business says: “Scrap the tax, reopen negotiations, and let’s start talking about a simple, harmonized tax.”

The CFIB is one lobby group. There are other lobby groups. The Consumers’ Association of Canada probably has a different view on many

matters than the CFIB. I know they do, quite different points of view. But their financial expert, their consumer advocate in Toronto, Tom Delaney, recently wrote in the *London Free Press* and the *Financial Post* that there are many problems with the GST and there is no doubt about it.

Mr Delaney also suggests, and I suggest to the member for Nickel Belt that he will be interested in this:

"Instead of hiring 4,000 more federal civil servants, the GST could be collected by provincial governments which would reimburse the federal Treasury, as the federal government does with provincial income tax. Alternatively, a combined federal and provincial sales tax administration could also utilize provincial expertise for greater economy."

I am not putting this forward as anything other than the Consumers' Association of Canada saying: "Don't hire 4,000 civil servants. Harmonize the tax. Have the provinces and the federal government work together for a change."

Mr Speaker, you know that this is not our tax. This is a tax that was announced in the budget in 1989 by the federal Minister of Finance, Michael Wilson, fully supported by the Prime Minister of Canada, Brian Mulroney. They sat down, they wanted to talk to the provinces, they started talking to the provinces and then, unilaterally, Michael Wilson withdrew. I understand he was very gentlemanly about it, but he did withdraw: no more discussions, end of discussions.

The premiers of all 10 provinces issued a press release after their recent conference—all 10 premiers, all four parties—and stressed the need for intergovernmental co-operation to address the issue. No one likes the nine per cent, no one likes the choice of exemptions, no one likes the way it is applied, no one likes the tax. But everyone agrees, but for the member for Nickel Belt, that the premiers, the Minister of Finance, the Prime Minister and the treasurers must continue to discuss and negotiate. Otherwise, this Nightmare on Elm Street is going to become a nightmare in our home towns.

Finally, the member for Nickel Belt—and this is a point that has been underscored by other speakers; the leader of the third party has made the point and I am sure others following me will make the point—in the drafting of this resolution dooms it to go nowhere when he says that under no circumstances should a province participate. A province has an obligation as a member of this Confederation to discuss and ensure that its taxpayers are protected and well represented. If

the member does not believe that, he should stand up and say that.

The fact is that by refusing to participate, we are going to end up with 4,000 more civil servants in Ottawa and the worst tax we have ever seen applied to our constituents, the businesses and the unions in our home towns. We cannot run away from it; we have got to deal with it; we have got to deal with it as properly and in an as upfront manner as we possibly can. We cannot run away from it, I say to the member. We have got to deal with it, and that is what I urge this House to do when the members oppose this motion.

Mr Morin-Strom: I am pleased to be able to speak in support of the resolution of my colleague the member for Nickel Belt today before the House.

Surely this is something that we can all in this House support. It is with some difficulty that I hear members of the Liberal Party suggest that while they are opposed to Brian Mulroney, Michael Wilson and the federal Conservatives moving on a goods and services tax, they will not take a principled approach and endorse a resolution which would clearly indicate the opposition of all the members of this Legislature to participation in such a tax grab by the federal government.

Instead we have got a Liberal Party that speaks in opposition to the motion but wants to keep its opportunities, its ability to be a part of that tax grab and to deliver to the consumers in Ontario a double whammy, a double taxation, a much broader tax base than the current sales taxes, a much more unfair tax base than is currently being proposed by the federal government, to become a partner with that same federal government in hitting consumers with that double taxation.

I cannot understand how we can have a party which claims to be opposed to an initiative and then behind the scenes continues to be supportive of it. We have a Treasurer here in the province of Ontario who has indicated his support for the principle behind this federal tax proposal. It is quite clear that this Premier would like to be able to use the federal proposal on the GST for the political opportunism that it provides to him in speaking up opposed to this tax, in pretending to protect Ontario consumers against Brian Mulroney and the federal government, while we have a Treasurer and Treasury officials in the province of Ontario at the same time continuing to negotiate behind the scenes with the federal government to come up with an amalgamated tax.

Just last week we heard the Treasurer again stating his position that he would like to see an amalgamation of the current provincial sales tax with the federal proposal for a goods and services tax, an opportunity whereby the provincial government will be able to get additional revenues on a basis that is surely far from being fair to the taxpayers of the province of Ontario, and hit the consumers again.

When it comes to regressive taxes under this Liberal government, the record certainly has not been a good one since 1985. This government has talked about open, fair taxes, but it has not delivered. Given the large increases in regressive consumption and sales taxes that have occurred in the past four and a half years under Liberal rule, it is literally the height of hypocrisy for the Liberals to complain about the federal goods and services tax.

1640

In 1985, the provincial sales tax was seven per cent and raised some \$5 billion here in the province of Ontario. Today, in 1989, the Liberals with their eight per cent sales tax are now raising some \$8.6 billion, in four years nearly a doubling in the total sales tax revenues coming in to the provincial coffers. At the same time in other areas, major increases in regressive taxes have been implemented under this Liberal government.

Gasoline taxes have gone from 8.8 cents per litre in 1985 to some 11.3 cents per litre for unleaded gas today and 14.3 cents per litre for leaded gasoline today. The gasoline tax increase is a particularly hard hit for residents of northern Ontario. During the minority government, the New Democratic Party insisted that there would be no tax increases on gasoline. We were able to hold this government to it during that period, but again, the consumers got hit in the head by this government once it got its majority in 1987.

This year, we have seen property tax increases double the rate of inflation in many municipalities across this province because of provincial cutbacks in transfer funds to local governments. This government has taken the approach whenever it can of passing the buck to local municipalities and local taxpayers.

One looks at the underfunding of the education system in Ontario, with the result that regressive property taxes are again being increased across the province. In 1985, the provincial government funded some 47 per cent of education expenditures. This year, that level of funding has dropped to 43 per cent, despite the government's political commitment in the last two election

campaigns to move that funding up to the historical 60 per cent level that it was back in the 1970s.

In the last Liberal budget, among other new tax increases that have hit consumers, the government applied a new \$5-per-tire increase for the purchase of cars and replacement tires for vehicles. In 1989, the Liberals also raised the cost of passenger vehicle registrations from \$27 to \$33 in the north and there were even greater increases for residents here in southern Ontario.

I know that the opposition to this tax is at tremendous levels right across the province of Ontario. In Sault Ste Marie I have had the opportunity to talk to many local residents with regard to this tax increase. I and my federal colleague have held tax hearings in Sault Ste Marie. We had the opportunity to hear input from the business community, from consumers, from organizations, social service agencies, health organizations, from the farm community in Sault Ste Marie. The opposition is complete to the goods and services tax. There is certainly no interest whatsoever in having this provincial government join with the federal government in a joint double whammy which would hit all consumers, all businesses, all service agencies in the province of Ontario.

People have expressed their opinion in polls across Canada. The opposition to this tax is clear and unequivocal. The effects of this tax are going to be most severely felt by low-income Canadians. We heard in Sault Ste Marie presentations from the Antipoverty Coalition, from representatives of the local soup kitchen, from representatives of Women for Women, expressing particular concern about how those on fixed incomes, those who are living on welfare or unemployment, pensioners, are going to be able to absorb the kind of increase that will result from the goods and services tax.

There is no indication that fixed-income earners, that pensioners, are going to get any kind of increase in their income to match the additional costs they are going to have to pay for the goods and services they need to maintain even a meagre style of life. The difficulties of this kind of tax are ones that have focused most clearly on those least able to pay.

In the business community, one has to have serious concerns about how they are going to absorb these cost increases, particularly in communities like Sault Ste Marie, border communities, where the competition puts retail operators in direct competition with American operations on the other side of the border. The

opportunity for sales and for business to leave Ontario and go into Michigan or New York state or Quebec in our border communities will be a very serious concern resulting from any major increase in consumption taxes.

The farm community is particularly concerned by the proposals, particularly with respect to the timing of payments on a goods and services tax. They, of course, have to make considerable investments in terms of materials, in terms of seed, in terms of labour which they have to put into their business, adding to their debt load every year before they get the revenues back at the end of the season when they are able to sell their products. This tax will have to be paid on those inputs, tax that will have to be paid up front and add to the debt load of our farming community.

Surely we can have here in Ontario a government that does not only provide rhetoric in opposition to this kind of tax proposal, but also will provide a clear commitment of opposition and an absolute commitment that it will not participate in a joint regressive tax scheme as has been proposed by the federal government. This government knows the kinds of regressive tax reform proposals that have come forward from Michael Wilson over the past several years.

Instead of looking at more joint efforts of taxing and hitting the consumers of this province, this province should be looking at going its own way when it comes to taxation in Ontario. We know that in the area of personal income taxes, this province and the federal government have not moved on a minimum tax on corporations and on a minimum tax on high-income earners.

This province has the right to devise its own income tax formula and go it alone with its own tax system, which could create a fairer, more equitable tax system for the residents of Ontario. Why should the Treasurer of Ontario be dependent upon a federal government that continues to move towards a more and more regressive tax system? We should be going our own way and standing up for the kind of tax fairness we as a province believe in.

If this government really believed in tax fairness, it would not be proposing amalgamation of tax schemes and tax resources; it would be looking at a fair system, a made-in-Ontario system, that would be in the best interests of all the consumers and all the taxpayers of this province. That is what I ask for, a commitment from this Treasurer right now, and I hope we see it at the end of this debate.

Mr Wiseman: First of all, I would like to say that I associate my remarks with those of our leader. I say to the member for Nickel Belt, whom I have known in this Legislature for some time, that I am sure he really did not write this motion which we are discussing today. If he did, I think he did it in one of his weaker moments, because anyone who would put in here, as my leader said earlier, that under no circumstances should we participate with the federal government in this matter, I think is wrong. It has been said before and that is why I am a little discouraged to see that, after all the committees I sat on with him, he could not be a little more progressive in his thinking than he was this afternoon.

1650

I too do not like the tax as it is presently written, but as has been said so many times this afternoon all three federal parties have said they need some sort of tax to replace the present goods and services tax. We know—I know the Treasurer knows—that the goods and services tax as it is presently written is costing us a lot of jobs out there in the manufacturing industry. That is why I cannot for the life of me believe our friends in the New Democratic Party are opposed to this, because it will create more jobs and probably give them more union dues and so on and so forth. They should be in favour of this.

I would like to see the ministers—I understand our minister of finance for the province will be meeting with other ministers in December, and knowing him as long as I have in this Legislature, which is about 18 years, I feel he will probably be taking to that table—I hope he will—as he was earlier on in this conversation, a different approach than he is at the present time.

I say this because at one of the committees the member for Nickel Belt and I were on, and we were in Ottawa, I happened to recognize at breakfast some of the Minister of Revenue's chief personnel who were there. Having been Minister of Government Services and having known them when we were building the building at Oshawa, I said to them, "What are you doing here?" They said, "We are here to talk about what will take place when this goods and services tax comes through, and what personnel we will be shifting to Ottawa because we will probably be phasing down and some of our key people will be going there."

A lot has happened since last spring. I know the Treasurer to be a fair person, but I think the fellow that sits on his left has given him a

marching order that is a little difficult for him to follow, being the fair-minded person he is.

I really wonder if it is because the Premier has told the Treasurer that he wants him to go in a different direction that he has changed his mind since last spring, when some of the Revenue officials told me personally that they were down there to discuss it and so on. I think this is the way they should go, with one tax collected similarly to what we do with our income tax right now, with the federal government collecting it and sending on the portion to the province. Surely to goodness there is some way, some mechanism that all the finance ministers can come up with, so that a portion of whatever tax percentage it is can go to the province and the other to the federal government.

I think all of us, and all my constituents, are fed up with taxes. They see local taxes going up as a result of many of the shifts that are being shifted down to them from the provincial government.

Mr Ballinger: Oh, get serious.

Mr Wiseman: Oh, I am.

Mr Ballinger: You don't believe that for a minute.

Mr Wiseman: We can name a few of them here if he would like—

Mr Ballinger: Start with the feds first.

Mr Wiseman: —such as this government's cutting back. As our director of education in Lanark county said, look at what we are getting now from the government for assistance to schools. Look at what this government is doing for the policing in the area. Look at what they are doing to cut back on hospitals, 15 per cent, and putting in a lot levy that they have to collect. There are all these things and we could go on and on.

I also think that when the Treasurer is talking with his federal counterpart and the Premier is talking to the Prime Minister there should be some policing there—right now it is the manufacturers' tax—to make sure that retailers return that portion to the purchasers. I am afraid that without some sort of policing mechanism, that will not go back to the people it should.

I think now of the case, of the one I am familiar with. At the present time there is 13 per cent on shoes. If it goes at nine per cent or seven per cent, whatever it would be, there should be a reduction in the cost of that footwear. There certainly will be in the case of the ones I have anything to do with, but I think there should be a policing

mechanism to make sure it is turned back to make it fair.

I just have a few things here. I know quite a few members want to get on and say what they have to. All of us throughout the province and throughout Canada are sick and tired of tax increases. As I said before, whatever level it is at, we do not want a tax revolt such as they had down in California but I hear people talking along that line and it scares me.

We would never have heard of that 17 or 18 years ago when I came here. Gradually, all levels of government are taking a bite out of the people. I know that if members are listening to their people back in their ridings, they are telling them the same thing, "We see services going down at the same time the cost to we who pay the taxes is going up."

We see moving kids out of schools into portable classrooms and all these things are deteriorating at the same time the Treasurer is raising, I believe, about \$42 billion. When I was in cabinet, I think the amount was something around \$26 billion or \$27 billion and at that time we were transferring more. But I do not want to get into politics here because the members opposite know what good responsible government was when we were the government for so long and what it has fallen to at the present time.

Before the Treasurer gets away, I am hopeful that he will continue to push the Premier and himself to sit at the bargaining table and let reason prevail, because we do not want to do as the member for Nickel Belt says. We want to have consultation with one another. We are trying to get together. We have heard their leader on Meech Lake and what they are trying to do there.

Just in summing up, there are a few points I would like to leave. We do need a replacement for the manufacturers' tax and we all agree on that, I am sure. The finance minister should work for one tax, similar to what we are presently doing with our federal income tax. It cannot help but save money. We have heard different ones say there will be about 4,000 more federal civil servants. Perhaps we could collect both taxes with the same amount. We must have that many collecting the provincial tax at the present time. There would be a saving to the taxpayers.

In there too, whatever level it is at, I would like there to be a commitment that if there is more tax collected than there presently is under the manufacturers' tax, that tax will be earmarked and not spent for anything else but reducing the debt. Then people would take it seriously and

would, I think, pay it a little more graciously than they would if they just think it is going in for more programs for whatever level of government it is.

Again, I would recommend that the minister of finance listen carefully. He will get a copy of Hansard with my leader's suggestions and I think if he follows that, along with some good common sense of his own, we will have a working relationship with the federal federal government and with the other provinces that will be better for all the taxpayers, not only of Ontario but of Canada, and will make something that is more workable than the piece of legislation that is there right now.

1700

Hon Mrs Caplan: I am pleased to rise today and participate in this debate. The agenda that is before us is of course a challenging one. When I read the member's resolution, I had some concerns because it seemed very simplistic. While I do not question the intent of the member's resolution, I do believe it is misguided. I want to say that the reason I come to this conclusion is that no one likes taxes. In fact, we all acknowledge and recognize the need of the Treasurer and the Minister of Revenue to raise, through taxes, the resources that are needed to fund the programs that are so important and valuable to the people of this province.

I would like to speak about some of my own experiences as a municipal politician for quite some time. As an alderman in the city of North York, I was very aware of the important role municipalities play in this province, of the important services they provide. Many of the issues those serving at the municipal level encounter are issues that have to do with potholes, planning or parks. Often they involve the people in their communities, the pets in their multiple-family dwellings and an irritant that often municipal people have to deal with, such as parking.

I often describe the municipal arena as having to do with people, pets, parking, potholes, planning and parks, and when the humour of those kinds of comments pass we know that the services that are provided by the municipalities are very valuable. They are the kinds of services people can relate to, because all of these directly affect people. Often they have to do with their neighbours, what happens next door to them, the park down the street.

The concerns I have are that the present federal proposals regarding this new tax, I think, will have a significant impact on our municipalities. I

want members of this House to know that I believe it will also have a negative impact potentially on our universities and our schools, and most certainly potentially on our hospitals, all of which we discuss as transfer payment agencies, each one being independent of government and relying on transfer payments. In the case of municipalities, they have the opportunity through the property taxes to raise the revenues they need to deliver services and programs to the people in their municipalities.

We know that all of these transfer payment agencies—hospitals, universities, boards of education as well as the municipalities—receive significant dollars very generously from our Treasurer. In total, I believe that this year the amount going to transfer payment agencies totals some \$17 billion. Hospitals alone this year will be receiving some \$6 billion from the Treasury of the province of Ontario. A full third of the total provincial budget, very significant dollars, go to the Ministry of Health, of which \$6 billion, of the ministry's almost \$14 billion, go to our hospitals.

We look at this proposal from the federal government that will impose a further tax on those transfer payment agencies, without having any kind of open and appropriate consultation to ensure that the interests of those transfer payment agencies, the interests of Ontario are met.

I want the members of this House to know that what I am concerned about is the fact that the federal government unilaterally broke off the kinds of discussions that would have ensured the Treasurer of this province could have forcefully advocated for the interests of the people of Ontario, for our transfer payment agencies, our hospitals, our municipalities and our school boards, to ensure that when the federal government, as is its right, brings forward its version of tax reform and when it does as it must or as it will, impose whatever kinds of taxation it determines in the federal forum is appropriate, my concern is that the consultation, the discussions that are so necessary, take place with the Treasurer of this province so that the responsibilities that we have in this Legislature ensure that Ontario citizens and Ontario's transfer payment agencies are treated fairly and that we accept our responsibility to advocate on their behalf in the most appropriate forum.

I believe the resolution that is before us in the House today would not permit us to make sure, through consultation and co-operative discussions with the federal government, that our Treasurer would be able to ensure that Ontarians and Ontario transfer payment agencies, in fact,

do not get shortchanged with regard to this new federal tax.

We know how important it is for the Treasurer to be able to be in a position to advocate forcefully in the interests not only of the people of this province, but also to be able to be an advocate for the transfer payment agencies—the hospitals, municipalities and the school boards.

I was very impressed with the proposal that our Treasurer took to a meeting of the finance ministers in April of 1989. At that meeting, which was on the national sales tax proposals of the federal government, the suggestion was that a zero rating for municipalities, universities, colleges, schools and hospitals would be the only treatment which would provide for the necessary fiscal safeguards for the province of Ontario and for its major transfer payment agencies.

This is the kind of advocacy that our Treasurer takes to the table at meetings of ministers of finance. I think it is very important when we discuss any proposal by the federal government that we acknowledge the need to have that kind of co-operative attitude, and not in advance of those kinds of discussions say to the Treasurer: "Your hands are tied. Under no circumstances can you discuss or negotiate the best interests of the people of this province."

I feel that is not only an inappropriate direction from the members of this House to our Treasurer, but it would not be in the public interest of the people of this province. I do not believe it would be in the interests of any of the transfer payment agencies or, in fact, the small businesses that look to the Treasurer and Minister of Economics to understand how any tax must and should be fairly applied to be responsive to the realities of those in Ontario who contribute not only to the provincial consolidated revenue fund, but also so generously, and sometimes we think very generously, to the federal coffers as well.

I realize it is important for government programs to be appropriately funded. Certainly, as Minister of Health, taking a full third of all the provincial revenues, almost \$14 billion this year, we know that 85 per cent of the Ministry of Health revenues are going to the traditional institutional sectors, the hospitals and the doctors.

As we look at the response from the federal government, which has been a decline in its participation in transfer payments to the provinces from 50 per cent to 38 per cent over the course of the last few years, we understand how important it is for Ontario to be able to advocate appropriately for the interest of its citizens and to

be able to discuss its needs. Also, whether it is tax reform, program redesign, federal participation, whether it happens to be in health care, in education, we know how very important it is for the ministers of this government not to enter those negotiations and those discussions in anything other than an attitude of co-operation and discussion and a desire to ensure that the best interests of the people of this province are met and sustained.

1710

I have absolute confidence that when our Treasurer enters those arenas with his colleagues from across the provinces or with the federal officials and federal ministers, this province has never and will never see a better advocate on behalf of this province in the interests of fairness and in the interests of appropriateness than the kind of advocacy and the kind of co-operative approach that our Treasurer in good humour always takes in those forums and with his colleagues from across the country.

We know there are many alternatives open to the federal government. Certainly there is always the co-operative approach, but one of the most viable alternatives, I believe, is the current proposal by our Treasurer for what I refer to as zero-rate status for our transfer payment agencies. We know that in order to do that it will take co-operation, co-operation between the provinces and the federal government.

If we are to be responsible and if we are to appropriately fund the programs that are so important to the people of this province, then we know that taxes are necessary. We have an obligation and a responsibility to make sure that all of our resources are used effectively, that we evaluate everything we do so that we can tell the people of this province they are getting good value for the tax dollars they entrust to our care.

We also know how very, very important it is for us to be able to prioritize across the government between the ministries so that when we allocate our resources the people of this province can judge us very, very surely and clearly because we have been clear about our priorities, we have set our goals and we have evaluated our programs to make sure they are effective in delivering the kinds of services to the people of this province which they tell us are so important to them.

So we recognize how very important it is that any proposal around tax reform, any proposals for new taxes, be reviewed and scrutinized not only by the people of this province but also by the government of Ontario to ensure that in fact we

have the opportunity to advocate appropriately, to be able to negotiate with the federal government and to be able to ensure that we are not taking the simplistic approach of my friend opposite who would just say, "Under no circumstances should you even talk." That is not an appropriate approach and in fact I would argue that is the head-in-the-sand approach that says, "Just let them do to us what they will."

If he thinks about it, I know the position he would want to take. That is, that in fact we in this Legislature, and certainly those of us on this side of the House, should be advocates for the people of this province. I want to assure him our Treasurer will take that role and that is why I will not be supporting this resolution.

Mr Villeneuve: It is a pleasure to also participate in this debate, to simply support the statement as made by the leader of our party and by the members of our party who participated.

There is a 13.5 per cent manufacturers' tax in place now, something that makes it very, very difficult for our small and larger manufacturers to compete on the world stage. As Europe is opening right up to markets and the Americans are opening right up to markets, the 13.5 per cent, if not removed, would make it very difficult for us to even think about competing, leave alone trying to be in the same ballpark. So we have to look at that in a very positive light.

None of us likes to see additional taxes, although in this Legislature on numerous budgets, particularly since 1987, we have been subjected to some fairly drastic increases in taxes. We may talk a little bit about that.

The transfer payments from the federal level went up by seven per cent last year. There is talk about, "Well, we all want to cut down on spending." Yes, maybe governments at all levels are overspending, but remember an increase of seven per cent in federal transfer payments came from Ottawa to the province of Ontario last year. We passed that on, and look at what sort of increases were transferred to school boards and to municipalities, for instance: we see a flat-lining at the municipal level and an actual reduction at the school board level.

So this government, yes, has reduced spending, has accepted more money from the federal level and, however, wherever that money has gone, \$42 billion this year will have been spent in whatever fashion this government sees fit without passing it on to the lower levels of government which it is directly responsible for.

My friend the member for Cornwall (Mr Cleary) is sitting here. A federal Liberal task

force went to Cornwall earlier this year, a couple of months ago, and the main subjects were the lack of funding for the municipal infrastructure, roads, sewage disposal systems and those types of lack of funding. Do members know what the federal Liberals said? The provincial Liberals were not touched too much, but they said that the federal government should be providing funding for municipal infrastructure.

There is a very clear message for me there. It is that this government at the provincial level, this Liberal government, is not providing the kind of funding that municipalities and school boards require. That is a pretty clear message.

I recall when there was a federal Liberal government in Ottawa in the early 1980s, and I think interest rates were in the area of 20 plus per cent. We did not talk about that too much. Ontario survived quite well under very good management by the government of the day; it managed very well on \$28 billion, which was the last budget we as a government were responsible for. We now have some \$42 billion that will be coming in and we still have a deficit, a reduced deficit. As the Treasurer said, four or five days of fiscal income at the provincial level would, indeed, wipe out the deficit.

However, it is still not a balanced budget and we are facing the very real possibility of recession. I want to touch on a few of the small manufacturers in the riding that I represent and their very grave concern about the 13.5 per cent tax on the products they produce, particularly for export. And the world is at our door.

Take, for instance, Dominion Textile Inc, Caldwell Plant at Iroquois; very, very important to the economy of southwestern Dundas county. Unless that 13.5 per cent surtax is not removed from their manufactured products, they will not be able to compete. Likewise, we go to Alexandria. We have several shoe companies there, the Brown Shoe Co of Canada Ltd, for instance, Alexandria Footwear Ltd, both very important to that local economy. Mr Speaker, you are aware of that. Our federal member, for ever and always, is talking about saving them. The 13.5 per cent applies to all of their products, and to their export products, under the new taxation system, would not apply at all.

So it is most important that we look at restructuring the tax. The federal Liberals when in power talked of a value added tax and were very serious about it. They left office in 1984. They were also in favour of a national sales tax. They were much in favour, as even this Treasurer was in 1987. He is on record. However,

whenever it comes to crass politics, this is what we are talking about. Mark my words, if there is not a provincial election about this time next year based on exactly that subject, I think I am crystal ball gazing and I think I am right.

1720

Hon R. F. Nixon: Mr Speaker—

[Applause]

Mr Cousens: Two clapped and the rest of them kept quiet.

Hon R. F. Nixon: I have two friends over here and I appreciate that.

I am interested that the official opposition has selected this topic for this particular opposition day, the last permitted in this session, at a time when the—

Mr D. S. Cooke: No, no, we have one more.

Hon R. F. Nixon: I do not think they get it.

Mr Reville: Yes, we get it.

Hon R. F. Nixon: We will see what they select.

The Deputy Speaker: Will the Treasurer—

Hon R. F. Nixon: I am concerned frankly that with the problems facing the provincial jurisdiction and our participation in the Constitution of the nation—the needs for strengthening of our medicare program and concerns that have been expressed about our own tax base, including the employers' health tax, the environmental concerns in the province, the transportation difficulties, some say inadequacies—that the opposition party would choose a federal tax for a full day's debate.

I think it is interesting. I have certainly listened to the contributions made, but in many respects it shows the barrenness of the official opposition, the paucity of leadership, the abdication of the traditional role of the official opposition, that they sort of go along with what they read yesterday in the *Toronto Star* and figure they might as well talk about the federal goods and services tax. There may even be people who are watching this who are under the impression we are talking about a tax over which we have jurisdiction. Of course, that is not the case. On the other hand, the opposition today is calling the shots, at least for the subject of debate, and that is what I want to speak about for the few minutes at my disposal.

I want to just mention briefly some of the history of the goods and services tax. My colleague the member for Middlesex, the parliamentary assistant who works with me, referred to the present manufacturers' sales tax which has

grown, since the Conservatives took office in Ottawa, from nine per cent to 13.5 per cent. He indicated his view about that and it is generally accepted that it is necessary that revenue be replaced by something that is not going to be so intrusive and dangerous to the economy at large. It is questionable whether the goods and services tax proposed by the government of Canada fills that bill, but certainly it does replace the revenue and then some.

We have to recall, those of us who have been around a while, not so long, that earlier in this decade, 1981, 1982 and 1983, the country, as a matter of fact the whole of the non-centrally-planned world, was suffering from a substantial economic recession and at that time this government in Ontario had difficulties with its revenue. Its programs became more expensive and its deficit ballooned to over \$3 billion. The same thing was happening to the government of Canada. It had a responsibility to use ever-reducing revenues to meet government responsibilities, to support unemployment insurance, as well as a wide variety of programs that became very expensive during those unfortunate years of recession.

When the government unfortunately changed in 1984, the new Minister of Finance, Michael Wilson, still the Minister of Finance for Canada, found himself facing a situation with a very large deficit, somewhat similar to our experience in this province when we took office about a year later.

Mr Villeneuve: That was unfortunate.

Hon R. F. Nixon: I do not mind that shot.

He did a number of things to attempt to correct it. Certainly some of his tax increases were designed to reduce the deficit. Everybody in here knows that he began increasing consumer taxes, particularly gasoline and liquor taxes, taxes on cigarettes and so on, as well as certain other taxes. In that instance—I do not know whether any of my colleagues mentioned it, the honourable member for York Mills indicated the ranges of federal taxation. But I never let a chance pass, particularly since gasoline tax was mentioned by one of the speakers for the NDP, to indicate that the federal gasoline tax is now considerably higher than the provincial tax and they do not build any roads.

So you cannot say that Michael Wilson has not raised taxes. There are those who feel that he has not raised them enough, but certainly he has not raised them enough to control the federal deficit. Even in this budgetary year, his deficit is ballooning somewhat above his projections

because of the cost of public debt interest, with the response to inflation by Mr Crowe, the governor of the Bank of Canada, giving rise to ever increasing interest rates.

Mr Wilson, I think, was very straightforward. He announced to Parliament and to the electorate that he was going to reduce taxes before the election just a year ago, and he did that. He reduced certain taxes, which was well received, but he indicated also that there would be tax increases after the election. A lot of people thought this was strange, because the idea that the electorate was going to have the advantage of reduced taxes before an election and a promise of increased taxes after an election seemed to be an interesting way of approaching politics.

So you cannot say he was misleading in any way, because they had an election. It tended to be a fairly one-issue election, and you cannot really blame the Progressive Conservative government of Canada for that, because they said, "If you elect us, we are going to come in with a new tax, probably a value-added tax, that is going to increase our revenue." They have to do that because their deficit is in a very seriously elevated situation and all of us want to see that brought under better control. So now they are simply keeping their promise.

I remember the election campaign, because the only people who spoke about the proposed value-added tax were Mr Blenkarn, who is well known across Canada. He indicated that if they brought in that tax, there would be a substantial increase in revenue. As Treasurer of Ontario, when asked about it, I said that the new tax they were proposing would certainly bring in far more revenue than the manufacturers' sales tax which was then at 12 per cent. I indicated at that time that it would almost double in revenue and said that the tax would be in excess of \$25 billion.

Frankly, I received some criticism from federal Conservatives for talking about something that they considered to be misleading, because the federal position was that any new tax would be neutral. Anybody who knows anything about this—and that includes everybody in this room—knows that it was never intended to be neutral in the amount of revenue that would come in. Obviously, this new tax is going to bring in far more revenue than the present tax which it will replace if the government has its way.

To be fair, I believe the Minister of Finance for Canada was not misleading anybody in any way when he said the revenue finally, the net revenue, would be the same, because he intended to pay a lot of money back to low-income Canadians so

that the regressivity of the tax would be at least partially moderated; that he intended to reduce other taxes, and so his revenue for purposes of financing government programs would stay the same. Anybody who took the time to review it could see in this instance that everybody was right, and that is not often the case.

Anyway, the point is, they have said they are going to go forward, and with his announcements in his budget and in his white paper, he told us what the base of the tax would be, which would be all goods and services with certain exceptions, now including groceries, medical prosthetic devices, prescription drugs and so on. I cannot go through the whole list, but it is a relatively short list. In other words, the base is very broad.

In his white paper, he said the tax would be from eight per cent to 10 per cent. All of my figuring on that was on the basis of nine per cent and he has now said that the plan will be for a nine per cent tax.

There are lots of people who are critical of the tax; everybody, in fact, except Mr Wilson and probably his immediate family. Certainly, Conservatives in this Legislature have very properly indicated that they intend to oppose it in its present form.

Mr Blenkarn, among others, has given broad hints that when his committee reports, it is going to suggest that the rate go from nine per cent down to seven per cent and the lost revenue be made up in certain other ways. Although some parts of his report have been leaked to the press, it still has not, as far as I know, been made public, and it will be interesting to see what Mr Blenkarn proposes. Aside from the fact that he, like many of us as politicians, sometimes says things that he wishes he had not said, still I believe Blenkarn has a good reputation across Canada as a pretty strong and independent person. So we do not know what he is going to propose, but obviously he does not like the tax in its present form.

1730

The premiers, meeting together this August, I believe it was, took thought and, after considerable discussion, indicated that they felt, and said, that the tax was unacceptable and they directed their treasurers, me included, to do some review as to the fiscal impact on our provinces, which we did. We retained the Conference Board of Canada to advise us in this matter, and that report has still not formally been made public, but at the time of the first ministers' conference a couple of weeks ago it was made available to the press by somebody—I do not know who. There was some comment about that, but the fiscal impact on the

provinces is significant and we have already discussed that in this Legislature.

In fact, rather than worrying about the impact numbers that have come from the Ministry of Finance in Ottawa as opposed to the conference board, I think the real difference is as follows: that the Minister of Finance says that this tax essentially will be good for the economy and that benefit will be seen immediately upon its introduction proposed for 1 January 1991. He indicates that the real growth of the economy will begin at that time, and although there will be what he chooses to call a blip in inflation, it is something that will not have any deleterious effects on the economy, and the country will proceed from that. The point of view that has been expressed to me by the economists in the Ontario Treasury, and has been reflected by the Treasuries across Canada as well as many independent economists, is that there will be a substantial bad economic effect in the short-to-middle-term run. In the first five years, three to five years particularly, the fiscal impact will be significant.

I do not want to go into the details now because the clock tells me I only have eight minutes left, and I have certain other things that I want to talk about, but the real difference is that the Ministry of Finance says that this tax will have good effects on the economy immediately. The government of Ontario and I, as Treasurer, with the information available to me, am quite certain that there will be a bad effect on the economy over the first three years and as a matter of fact, the fiscal impact on Ontario at the end of the third year will be cumulatively in excess of \$1 billion. So that is a real concern, and that is why the premiers, including Ontario's Premier, have said the tax in its present form is unacceptable. We are really not here debating whether the tax is a good tax or a bad tax. I do not think anybody thinks it is a good tax. The argument is whether Ontario will play any part in it in the future, and that is really what I want to talk about.

The effects have to be based, as I have talked about the progression of the development of the tax, on this: That many people in looking and reading what was said by the politicians in Ottawa, have said: "Well, they are probably going to cut it down to seven per cent. Maybe they are going to adjust the base somehow. Maybe they are going to assist the provinces with the impact on housing. Maybe, surely, they are not going to go ahead and apply the nine per cent to municipalities, university school boards and hospitals with the program that the extra tax will

somehow be fed back from the federal government to these institutions."

Yet the Prime Minister, in his lengthy opening address at the first ministers' conference, echoed by the Minister of Finance, said that the tax is going forward as planned. I believe them. They have said it time and again, and their plan is quite clear and quite explicit. So we might as well assume that since they command a substantial majority in the Parliament of Canada, that this tax will be enacted, that there will be all sorts of difficulties and shortcomings, and whatever we think about it—since we do not get to vote on it and we are not going to send the OPP to Ottawa to stop it, although my honourable friend the member for Nickel Belt would contemplate probably even that—that at the same time we have to see in the province, as a part of Canada, that the tax is certainly going to be applied here, that it will even be applied in Alberta where there is no sales tax at all; they have oil wells instead. If I had my choice, I would prefer oil wells, but we do not have those and so we have an eight per cent sales tax, which returns to our consolidated revenue fund about \$8.6 billion, going on \$8.7 billion.

It pays a lot of our bills. It pays for New Democratic Party research. It pays for all of those things that are so necessary, and we all know from the obvious characteristics how inadequate that particular funding is.

Let's say this, that the tax is going forward. We, in Ontario, already have a well-established sales tax. As a matter of fact, when I was first elected, the tax was brand new, and at three per cent, it was considered onerous, regressive, a very bad thing. There are certain people who, with enough research, can turn up quite able politicians making those statements in the past, and they were all true.

I can recall as the tax progressed beyond that, to seven per cent when we took office, and I can remember the careful deliberation that led me, as Treasurer, to recommend to this House that the tax go to eight per cent. I was glad to see that the thoughtful members of the House supported that, because they want the programs that are paid for by these tax revenues.

Mr Brandt: Those were the Liberal members, not the thoughtful ones.

Mr Villeneuve: How many thoughtful ones are there?

Hon R. F. Nixon: We all know who we are. There is no problem with that.

The situation is that the tax is evidently going to be imposed. The federal government has many

difficulties, I can tell members, with this. We have read that they may need as many as 5,000 new civil servants, and others are unkind enough to say it may take 12,000 to 15,000 new civil servants to apply this tax right across the country.

It will be a complex situation involving all of the paperwork that is associated with a value added tax. The province of Ontario, as I say, has a well-established tax. It is up front. It goes on the bottom of the bill whenever you make a purchase, and each time you do that, people know whom to blame. They know to blame the Peterson government and they also know that we are responsible for paying the bills. That is really the way the democratic process is supposed to work.

While we have political difficulties with it, we feel, in further answer to a question asked earlier today, that it is fair and equitable and that we have programs to at least remove some of the regressivity, which we do not think is unduly onerous.

We have this situation that is facing us. We have said, through the Premier himself joining all the other premiers, that the tax is unacceptable.

It means that the Parliament of Canada, using the constitutional rights that it has and the powers that undoubtedly it has, will be expected to support the present government and enact the tax. Whatever we think about it, we expect the tax to be imposed in Ontario in 1991.

There may be some way to stop it. There may be something we can do. It may be that our criticisms will fend it off. Maybe Mr Blenkarn's committee will give a recommendation that will change it. But we have to return to the statement made publicly by the Prime Minister that it will go forward.

On that basis, we have to look at what the responsibility of the government of Ontario is. Somehow or other, the NDP members are under the impression, through the wording of this motion, that because of the ill-advised initiatives taken by the government of Canada, the people here should be made to suffer more than they ordinarily would. It is as if the federal government put too many players on the ice in a hockey game and the NDP says Ontario should suffer the penalty. That is the kind of thinking that they have.

I see the Leader of the Opposition squinting because he may not be as familiar with these matters as I am. I am sorry for him in that connection. It is obvious that this kind of glassy-eyed opposition expressed by the New Democratic Party in this House has really no role

to play in the traditions and the history of this province.

Frankly, I thought that the leader of the third party made an excellent contribution in this regard, not just because he too is going to oppose this ill-advised motion but because his presentation was thoughtful and well worked out, and in many respects not very good. There were many aspects that I did not agree with.

Mr Brandt: Which ones were those?

1740

Hon R. F. Nixon: In case in the future there is something I missed, that is the one I did not agree with.

I certainly thought the quality of the debate this afternoon has been useful. I believe the motion put forward is not a useful one, that it indicates quite clearly that the NDP opposition has missed many of the issues that have an impact directly on the province of Ontario and that can be settled by a vote in this House. In this particular instance they are sort of playing to some sort of a crowd that I believe is not responding to them. I call on all of my colleagues to oppose the ill-advised motion.

Mr B. Rae: I enjoy the chance to participate in this debate and particularly appreciate the opportunity to follow the Treasurer, who, I can tell members, in his defence of the indefensible almost outdid himself today.

The first thing he said was, and he ended on this same note, that somehow it was inappropriate—I really appreciate the advice he is giving to us—for us to be asking this assembly to go on record with respect to Ontario's participation in a national sales tax. I say to members, what could be more relevant, what could be more significant for the people of this province, than that we hear directly from the Treasurer of Ontario and from the Liberal Party of Ontario exactly what their intentions and their plans are with respect to the future of taxation in this province? Surely to goodness we are entitled to have that on record.

The fact that the Treasurer would rather not be debating this issue, I say to the Treasurer, speaks far more eloquently than anything else he said. Of course he does not want to talk about it; of course he does not want to be accountable; of course he does not want to come into this assembly and tell us what his plans are. All I can say is, too bad. That is what democracy is all about, that is what accountability is all about, and if the Treasurer does not think he should be accountable for what his government is going to do with respect to the GST, then he has another

thought coming. Ontario's position on the GST should be a matter of public debate. Ontario's record on taxation should be a matter of public debate.

The fact that this Treasurer has relied heavily on increasing the sales tax, the fact that this Treasurer has stated now that he is in favour of the sales tax as a method of increasing his revenues, the fact that he sees that as his role and he thinks that tax is a fair and equitable one—I think those are facts that ought to be on record in Ontario.

Mr J. B. Nixon: Speak to the motion.

Mr B. Rae: I am delighted that they are on record in Ontario. I am delighted that my colleague the member for Nickel Belt has put them on record, because that is precisely what we are debating.

Mr J. B. Nixon: No, it's not.

Mr B. Rae: What we are debating today is the question of the future of taxation in Ontario. Let there be no question and let there be no doubt: The sales tax future of this province is at stake.

Mr J. B. Nixon: Is this your launch speech?

Mr B. Rae: The future of taxation is at stake and the fundamental question is, how fair is our tax system going to be? What kind of tax system are we going to have in Ontario?

My friend the member for York Mills, when he is not busy defending insurance brokers and insurance agents and the insurance industry, when he is not busy trying to bring in a private member's bill that will resurrect some developer in the province, when he is not busy doing that, has the temerity to say, as the Treasurer tried to say, that somehow if we raise this question in the House we are raising some kind of federal issue.

I want to say, the question of Ontario's participation in a national sales tax is an issue for this Legislature. It is not an issue alone for the Liberal caucus. They should not tell me this issue has not been discussed in the Liberal caucus; they should not tell me this issue has not been discussed in the Liberal cabinet, and if it is good enough for discussions in the Liberal cabinet and the Liberal caucus, it is good enough for this House to discuss and to debate as widely as possible.

The question at hand is whether or not this assembly is going to go on record as recognizing that for us to go further down this road of participating in a sales taxes as the means to generate revenue in this province is wrong, that it is the wrong way to raise taxes. It is the wrong

way to rely on increased revenues, because it is, its very nature, an inequitable tax.

I say to the member for York Mills and to others, this is a question of how we tax ourselves in Ontario. It has nothing to do with the federal government; it has to do with what Ontario is going to be doing.

Mr J. B. Nixon: It is a federal tax.

Mr B. Rae: The member for York Mills insists on heckling. I do not mind dealing with it.

The Acting Speaker (Mr Cureatz): Order, please. I would like to remind all members that unnecessary interjections are certainly unparliamentary and I would ask the honourable member for York Mills to please restrain himself.

Mr B. Rae: The critical issue here is the future of taxation in Ontario. This Treasurer has relied more heavily on sales tax increases. He raised the sales tax by 14 per cent last year. He raised an additional \$900 million in taxation by increasing the sales tax. This is the same party that just a few short years before was insisting that it was going to make the tax system fairer, more just and more equitable.

Then the Treasurer says, "Well, that is what everybody says when they are in opposition." The implication of what he said in question period today was: "Well, what do you expect people to say in opposition? When we are in government, of course, that is exactly what we are going to do. We are simply going to maintain the unfairness of the Ontario tax system."

I believe profoundly that there is a choice facing this province, and that choice is this: If we collaborate with the federal government on this tax—and that is why we are asking this government and this assembly to come out on record on this—it will be impossible for Ontario to create a fair system of taxation for its own citizens.

We have already seen that on the income tax. We have already seen on the income tax, and the Treasurer himself has said—he has not been prepared to do anything about it, but he himself has said—that with respect to the income tax, Ontario does not have the flexibility to tax income. All Ontario can do is get a share of what the feds raise. Therefore, there is nothing we can do. The fact that there are thousands of people who pay no income tax in Ontario—nothing he can do. The fact that the capital gains system is unfair—nothing he can do.

What we are saying is that is why Ontario needs to generate its own system. It needs to create its own system of taxation, which will create its own system of fairness for the citizens of this province. I believe in this very strongly.

Members may say, and the leader of the third party, the Conservative Party said, "Well, that's not nation-building." I disagree profoundly with the leader of the Conservative Party on this question, because I believe so strongly that we simply cannot trust—look at the record of what the federal Liberals and the federal Tories have done with respect to taxation.

For us to continue to collaborate with that agenda means that billions will go untaxed, billions in terms of wealth, billions in terms of inheritance, billions in terms of money that is there that will never be taxed and will always be evaded and avoided by those who are rich enough and powerful enough to avoid that system.

The question for us here in Ontario is whether we have the courage and the imagination to create a tax system that is truly fair. We cannot do that, and I want members to be under no illusions about that. If this government or any government goes along with that federal system, it will make it impossible for us to generate a fairer tax system in Ontario.

The record is very clear. We can look at the example of what has happened to us on the income tax side. Frankly, we can look at the example of what has happened to Ontario with respect to retail sales taxes themselves. The record has not been good and that is why we have insisted on having a discussion in this House. I regret to say that even at this late date, even though he said he was looking forward to participating in this discussion, the Treasurer spent several minutes saying we had no business talking about this.

He spent several moments saying that it was an irrelevant subject and of no great interest to the people of Ontario, and then went on through a history of the GST as it relates back through time. He paid tribute to Don Blenkarn, which I found fascinating, and it truly boggles the mind as one looks at the statements that that honourable member has made about life and taxes over the past several years. I served with him in the House of Commons years ago and am quite astonished to find that the Treasurer finds him such a cosy political bedmate, but there you are. You make your friends, and there you are.

1750

Hon R. F. Nixon: I used to be in bed with you.

Mr B. Rae: The Treasurer says—

Hon R. F. Nixon: Of course you'll sleep with anybody.

Mr B. Rae: I can tell the Treasurer that I did not find it any more cosy, but I found it a mite

more progressive than the statements that he has been making since 1987.

Let me say that the Treasurer never actually—he still has not told us. He says that this tax is inevitable. He has told us that. He said that there is nothing that can be done about it. He said that it is coming in anyway.

Mr Neumann: He didn't say that.

Mr B. Rae: Yes, he did. The member should read Hansard in terms of what he said. He said that it is coming in and he said that there is nothing that he can do about it. If there are members of the Liberal Party who are unhappy with that, I suggest that they go back and look at precisely what the Treasurer said. I was here listening very carefully to every word. He said that they have a huge majority and he knows, having a huge majority himself. He said, "We can do whatever we want, so we can only assume that they can do whatever they want."

I am here to say that if this is the kind of fight that Ontario is putting up, then I do not think any of us should be surprised that the tax is going to be coming in. If the toughest message that can be received from the Treasurer of Ontario is that he is so mad about this tax and so opposed to it and finds it so unacceptable that he wants to have another meeting so he can sit down and figure out how he can get a piece of the action, then we should not be surprised if the feds say: "Wait a minute here. We are getting a funny screwy message from the Ontario government. The message we are getting is a tough one where the Premier says: 'We may even need to have an election to fight this thing. That is how serious it is.'"

That just brings me back, in spades, to another memory. Then the Treasurer says: "No, we might have an election about it. It might be the cause for calling a provincial election, but it is an entirely inappropriate subject for us to be discussing in the Legislature on a Tuesday afternoon." If it is good enough for the electorate, it is good enough for us to discuss it too. I think we are entitled to know and we still have not heard, we still do not know what Ontario is putting on the table.

All we know is that as time goes on and as time unfolds, the Treasurer of Ontario has said, again and again, how much it makes sense to have an amalgamated tax, and he expressed today in his support for his new-found friends in the Conservative Party an alliance which I think is certainly historically earth shattering and which will, I know, do them both a whole lot of good as they contemplate their collective future.

As they conduct this exercise in mutual admiration, let us at least understand that these two wings of the same bird of prey are talking about the same thing. How can these two wings of this same vulture come down on this poor old taxpayer and pick pockets on both sides? That is what they are talking about.

What they are talking about is not a case of the government of Ontario standing up for the people of Ontario and saying, "We are going to fight this tax because we think it is unfair." It is not a case of the government doing what some other governments are doing and talking about challenging its very legality because of the way in which it interferes and takes away from provincial jurisdiction. What is the Treasurer's position? It is: "We want a piece of the action. We want a piece of the pie. We want to get in there too."

Why would he say that his main objection to the GST is that it is too high? I will tell you why, Mr Speaker. By "too high" he means that the federal share of the take is too high. That is what he means. He does not mean that the tax is too high; he does not mean that the ultimate level of tax to be paid by consumers when it comes to a sales tax is too high. What this Treasurer means is that he wants a bigger piece. He wants to bargain, and that is exactly what the leader of the Conservative Party was talking about. He wants to bargain too. Both these—

Mr Brandt: I said co-operation.

Mr B. Rae: Excuse me, co-operation, and we all know from Sesame Street what an important concept that is. I say to the leader of the third party, "Taxpayers beware." When treasurers get together and talk about how they can co-operate or amalgamate, at whose expense is it? I will tell him at whose expense.

We are going to see an example of amalgamation in the vote that is going to be coming up, an amalgamation between the Conservative Party and the Liberal Party on this fundamental question of the fairness of our tax system in Ontario, a tax system that will continue to leave the wealthy alone, that will continue to leave Canada and Ontario on a level with Turkey in terms of our fairness in taxing wealth, and a system which sticks it to the little guy every day of the week. That is the Tory/Liberal tax system and that is what we are being left with.

1800

The House divided on Mr Laughren's motion, which was negatived on the following vote:

Ayes

Allen, Bryden, Charlton, Cooke, D. S., Farnan, Grier, Hampton, Johnston, R. F., Laughren, Mackenzie, Martel, Morin-Strom, Philip, E., Rae, B., Reville, Wildman.

Nays

Ballinger, Beer, Bossy, Brandt, Brown, Campbell, Caplan, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Cousens, Dietsch, Eakins, Elston, Epp, Eves, Faubert, Fawcett, Fleet, Fontaine, Grandmaître, Haggerty, Hart, Henderson, Johnson, J. M., Kanter, Kerrio, Keyes, Kozyra, Lipsett, MacDonald, Matrundola, McCague, McGuinty, McLeod, Miclash, Miller, Nicholas, Nixon, J. B., Nixon, R. F.;

Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Pelissero, Phillips, G., Polsinelli, Ramsay, Ray, M. C., Reycraft, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sola, South, Stoner, Tatham, Villeneuve, Wiseman, Wong.

Ayes 16; nays 65.

The House adjourned at 1806.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

ENVIRONMENTAL YOUTH CORPS

125. Mrs Marland: Will the Ministers of Skills Development, Environment, Natural Resources, Tourism and Recreation, Agriculture and Food and Northern Development and Mines state how many applicants there were for the Environmental Youth Corps in 1988 and in 1989, the number of youth hired through this program and the overall costs of the program for each year? [Tabled 8 May 1989]

See sessional paper 210.

GOVERNMENT CONTRACTS

154. Mr Johnson: Would the Minister of Government Services provide a list of all the companies that have been awarded contracts in the last three years which did not have the lowest sealed bid, what these contracts were for, what was the financial worth of the contract and what was the financial difference between the lowest bid and the awarded contract? [Tabled 11 May 1989]

See sessional paper 211.

NONPROFIT HOUSING

178. Mr Harris: Would the Minister of Housing provide the following information about the nonprofit housing initiative announced in the assured housing statement on 16 December 1985: (a) the number of units allocated under the program, (b) the names of the nonprofit organizations or municipalities allocated units and the number of units allocated to them, (c) the number of units under construction and (d) the number of units completed as at 1 May 1989? [Tabled 29 May 1989]

187. Mr Harris: Would the Minister of Housing provide the following information about Project 3000: (a) the number of units allocated under the program, (b) the names of the nonprofit organizations or municipalities allocated units and the number of units allocated to them, (c) the number of units under construction and (d) the number of units completed as at 1 May 1989? [Tabled 29 May 1989]

See sessional paper 212.

189. Mr Harris: Would the Minister of Housing provide the following information about Project 3600: (a) the number of units allocated under the program, (b) the names of the nonprofit organizations or municipalities allocated units

and the number of units allocated to them, (c) the number of units under construction and (d) the number of units completed as at 1 May 1989? [Tabled 29 May 1989]

See sessional paper 213.

HOSPITAL SERVICES

284. Mr Eves: Would the Minister of Health indicate the reasons for amending Ontario regulation 518/88 to provide "that the administrator, medical staff, staff nurses and nurses who are managers develop plans to deal with the failure to provide services by persons who ordinarily provide services in the hospital"? [Tabled 10 July 1989]

Hon Mrs Caplan: In August 1988, regulation 865 under the Public Hospitals Act was revoked and replaced by Ontario regulation 518/88.

Clause 2(3)(e) of regulation 518/88 provided that the board shall "ensure that the administrator and medical staff develop plans to deal with:

"(i) emergency situations that could place a greater than normal demand on the services provided by the hospital or disrupt the normal hospital routine, and

"(ii) the failure to provide services by persons who ordinarily provide services in the hospital."

In February 1989, regulation 83/89 amended regulation 518/88. Clause 2(3)(e) of regulation 518/88 was amended by adding the words "staff nurses and nurses who are managers."

"The amendment will ensure that nurses have a voice in the development of plans for dealing with emergency situations in hospitals. The amendment recognizes that nurses are key participants in the delivery of hospital services, and as such would be in a position to offer valuable advice in these areas."

The new regulation provides staff nurses and nurse managers with an opportunity to participate in greater corporate decision-making roles within the hospitals.

MINISTRY PURCHASES

306. Mr Laughren: Would the Chairman of the Management Board of Cabinet indicate the value of all goods and services purchased by each ministry in the latest fiscal year and, for each, the estimated Canadian content of these purchases? [Tabled 24 July 1989]

Hon Mr Elston: There is no information available on the estimated Canadian content of

all goods and services purchased by each ministry in the latest fiscal year.

Various details of the value of goods and services purchased by each ministry are published annually in the public accounts of Ontario.

RESPONSES TO PETITIONS

TEACHERS' SUPERANNUATION

Sessional paper P-2, re Teachers' Superannuation Act.

Hon Mr Conway: The issue of providing a pension based on a "best five" years' service to those who have already retired must be viewed in the context of the overall financial situation of the teachers' pension plan.

Studies have shown that a "best five" recalculation would have considerable cost implications for the teachers' pension funds. Studies have also indicated that such a measure would not provide significant improvements for those who retired prior to 1976 and did not benefit from improved salary conditions and inflation protection.

In 1985 this issue was referred to the Public Sector Pensions Advisory Board, which reviewed the matter and recommended against such a change. Following these recommendations, the government decided that the most effective use of limited resources would be to augment low pensions with an ad hoc increase for teachers who retired prior to 1976. This improvement was implemented in 1987 and has been paid for entirely by the government.

WATER DISPOSAL

Sessional paper P-31, re water disposal site at Goulais River.

Hon Mrs McLeod: The Goulais River waste disposal site is funded and operated year-round by the Ministry of Natural Resources, at an annual cost of approximately \$45,000. The users of this site at Goulais River come from an area which has two local services boards. Neither the users nor the boards directly contribute any funds to the operation of this facility, which serves a population of approximately 3,600 permanent residents and 3,000 seasonal residents.

Over the past several years, the ministry has been experiencing, at the site, major problems such as indiscriminate dumping, unauthorized burning, etc. In 1988, following complaints from nearby residents, the Ministry of the Environment indicated that the dump would have to be better controlled and managed. In response to this, in the fall of 1988, MNR gated the site and an attendant was placed on duty during its hours of operation. However, we did not arbitrarily set

these hours of operation. Instead, users were contacted on site and notices were placed in the local newspaper asking for comments. The hours were then set based on the comments/suggestions received and the funding available. The site is currently open 21 hours per week and the days of operation have been arranged in such a manner that garbage does not have to be held for more than two days. This is acceptable to both the Ministry of the Environment and the Algoma Health Unit. Since we have taken this action of regulating the site, the quality of maintenance there has been excellent, as has been attested to by the comments received from many people.

The petitioners have raised the question of the Ontario government allocating the necessary funds in order to allow for the extension of the present hours of operation at the site. In point of fact, the operation and maintenance of waste disposal sites in the unorganized areas of the province has been of substantial concern to the government. This is particularly so because of the degree of client expectations that inevitably develop and the whole question of adequate funding, allocation of program responsibility and delivery.

With respect to the Goulais River site, the hours of operation are directly comparable to the operating times that exist at waste disposal sites in several small communities east of Sault Ste Marie, many of which operate between 10 and 16 hours per week. There are opportunities at hand whereby the local residents can establish direct control over the operation of such sites. Staff from my ministry, MOE and MNM would welcome the opportunity to jointly meet with the area's local services boards to discuss such options for the operation of this site.

I am confident that provincial government staff and the local site users, working together, can establish a new operating arrangement for what will certainly become an increasingly efficient and more environmentally sound waste disposal site.

TRANSMISSION LINES

Sessional paper P-34, re Ontario Hydro.

Hon Mrs McLeod: Ontario Hydro has been in consultation with the municipalities and local residents in the areas between London and Lambton GS in order to identify preferred routes for a new transmission line. The desires of some groups to move the existing line and have the new line routed away from the municipalities involved are known to Ontario Hydro.

An announcement has been made by Ontario Hydro regarding the preferred routes and they will be conducting public information centres between 14 and 23 November to receive comments from interested parties.

This transmission project is subject to the

Environmental Assessment Act. It is expected that Ontario Hydro will make the environmental assessment submission on the subject early in 1990. At that time, all concerned parties will have an opportunity for further review before any final decision is made.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breagh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

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No. 73

Hansard

Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Wednesday 22 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 November 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

AUTOMOBILE INSURANCE

Mr Farnan: The government of Ontario has introduced legislation to impose its version of no-fault auto insurance on the people of Ontario. What will this mean for you? According to the Committee for Fair Action in Insurance Reform it means this.

You will receive inadequate compensation for your injuries and lost income. You will pay more in premiums, even though the government promised in 1987 that it had a plan to reduce these costs.

You will pay more in taxes to cover the further \$141 million handed back to the insurance companies by the government. You will have to purchase additional disability insurance if, as a provider for a family of four, you want to receive benefits above the poverty line.

As an employee, you will not get full recovery for loss of wages. If self-employed, you will be unable to recover loss of profit. You could lose your business and receive nothing. You will lose the right to sue for pain, suffering and other losses.

You will be treated no better than the negligent driver responsible for your injuries. You will lose your legal right to seek compensation from negligent or dangerous drivers. You will be forced to live under a system which the government's own advisers have opposed.

In short, the Premier (Mr Peterson) said in Cambridge on 10 September 1987 he had a plan to reduce auto insurance premiums in the province of Ontario. If this is the plan, he has betrayed the drivers of Ontario.

GOVERNMENT MAIL SERVICE

Mr Wiseman: Today I would like to bring to the attention of the House a most serious situation, that of the inefficiency of government mail service.

Two weeks ago I sent a letter by interoffice mail to the Macdonald Block, a few hundred feet from my office. I waited a full week and still had

no reply. I looked into the matter only to discover that nothing could be done for me, as the office to which I had sent the letter had not received it.

When I was Minister of Government Services, I occasionally got complaints if the mail had not arrived in two or three days, so I realize that difficulty in service does occur, but it seems to me that something is dreadfully wrong when you cannot send an envelope between two offices in the same cluster of buildings in less than a week, and I can only feel that it speaks to the general inefficiency which is the trademark of this government.

After all, this is the same government which has destroyed the fine health care system that we once knew in Ontario, that has put the dream of home ownership for many people out of reach and that has taken education out of the classroom into the portable. So I guess it is understandable that they are having trouble delivering the mail.

WIFE ASSAULT PREVENTION MONTH

Mr Adams: In 1983 the Peterborough Young Women's Christian Association responded to an urgent need by establishing the first of two emergency shelters for women and children in crisis. Today the YWCA's Crossroads residences regularly operate at occupancy rates of almost 150 per cent. The efforts of the Peterborough YWCA in dealing with family violence and its aftermath are well known and widely respected in the community.

I am pleased to tell the House that the Minister without Portfolio responsible for women's issues (Mrs Wilson) is attending an event in Peterborough this evening designed to raise awareness of wife assault as a crime. The work of the YWCA has brought to light the great complex of issues that surround family violence, especially the matter of dealing with long-term effects on children from violent homes. I am greatly concerned that children bear scars that are far less visible than those of their parents.

As awareness of family violence grows, so does the need for facilities and services for victims. Emergency shelters cannot provide long-term support. High occupancy rates make it difficult to provide anything more than basic

assistance. Children need an ongoing support system.

I urge members to join the government's effort to raise awareness during this month, which has been declared Wife Assault Prevention Month, and to work to provide services in every community in Ontario.

WORKERS' COMPENSATION

Miss Martel: I want to bring to the attention of this House and in particular to the attention of the Minister of Labour (Mr Phillips) an advertisement which appeared in the *Toronto Star* yesterday. The advertisement was placed by the Workers' Compensation Board and concerned permanent disability pensions.

The purpose was to advertise to injured workers that as a result of Bill 162 they might be entitled to supplementary benefits. The ad lists five criteria which must all be met in order to qualify for a supplement. Workers who believe they are entitled are asked to contact the Workers' Compensation Board to pursue the matter further.

Unfortunately, for whatever reason, the facts in the advertisement are not correct. If compared to the actual legislation, it is evident that one of the requirements listed is not necessary in order to qualify for a supplement. That requirement in the ad is that a worker who has a pension from the WCB must have had the pension commuted or paid out in a lump sum.

That is not what Bill 162 says. Any worker with a pension, whether it was paid out as a lump sum or is now being paid on a monthly basis, may qualify for a supplement. The other criteria listed in the ad must apply as well. However, given that some of the information is misleading, workers who might qualify will not contact the board based on what the ad now says.

Since this refers to government legislation, in particular Bill 162, the Minister of Labour should instruct the board to pull the present ad and replace it with one having the correct information.

COURT SYSTEM

Mr McLean: My statement is for the Attorney General (Mr Scott). I have received numerous complaints from my constituents who believe he is not doing them justice. They are concerned about overcrowded courts, increasing case backlogs and deteriorating court facilities.

The deterioration of our justice system in Ontario affects individuals with business before the court and staff who must work in overcrowd-

ed or poor facilities. It affects judges and lawyers who are bogged down in an overburdened and backlogged system.

The minister must admit that this deterioration of the system filters down to the level of those we expect to enforce the laws of the province, our police officers, who, through no fault of their own, may not be as courteous as we have all come to expect because they are growing frustrated by an inefficient and overburdened judicial system.

A constituent recently told me that he was not permitted to renew his driver's licence until he paid his past parking fines, which he had already done and had received his cancelled cheque. He was again denied his licence renewal because records indicated he had not paid his outstanding parking fines. This occurred six weeks after he paid his fines and still the records show he had not paid up.

Does the minister call this justice? Surely, he must agree that not only must justice be done in this province, it must also be perceived to be done. This is currently not happening in Ontario. How would the minister like to have had all his fines paid and still not be able to renew his driver's licence?

1340

EAST NORTHUMBERLAND SECONDARY SCHOOL

Mrs Fawcett: I rise in the House today at the risk of sounding like a broken record, but then, that is what this statement is all about—a broken record.

The students of East Northumberland Secondary School in Brighton, Ontario, have broken their own last year's Canadian record of \$14,000 raised for cancer. This year, by means of their annual Terry Fox run, these young people raised over \$19,000. This is phenomenal. Indeed, these young people are phenomenal, as each year they prove the sceptics wrong by topping the previous year's amount of money pledged.

I was so pleased that the Minister of Education (Mr Conway) could be present this week with me at the school for the presentation of the cheque to the Canadian Cancer Society. The minister was there to attend the school's local Education Week kickoff breakfast and extended his time to be present for this special assembly.

We were most impressed with the exuberant spirit that just pulsed around the gym. Two staff members, Tim Larry and John Ward, deserve praise and special recognition for the help and hard work which enabled the students to

attain this success. I am sure all members will once again join me in saluting this remarkable achievement by the staff and students of East Northumberland Secondary School who keep Terry's dream alive. Somewhere the hurting has to stop.

GOODS AND SERVICES TAX

Mr Laughren: For some time now the people of Ontario have been getting a mixed message from this government about its position on the federal goods and services tax. We have all been bombarded with doubletalk. The Liberals said the GST was bad for Ontario; the Liberals said the GST, on the other hand, was a fair, upfront tax. The Liberals said they would fight the GST; the Liberals said how they looked forward to amalgamating the provincial sales tax with the federal GST.

Yesterday's debate on this issue resolved all the doubletalk and forced the Peterson government to admit that it favours amalgamating the Ontario sales tax with the federal GST. The Right Honourable Mr Mulroney and Mr Wilson decided to base their version of tax reform on what a person spends and not on what he or she earns. It is sad but not surprising to see how willing this province's Treasurer (Mr R. F. Nixon) is to participate in a system of taxation that discriminates against lower and middle-income families.

I say this is not surprising, because the Liberal Party of Ontario is the party of unfair taxes. Among other things, the Liberals have hiked sales taxes and gas taxes. They have increased property taxes by underfunding education and cutting municipal grants. They even threw in a brand-new tax on tires. It is therefore not surprising that they want to join the Tory GST plot to tax everything that moves. This Treasurer has quickly become known as Maximum Bob.

Mr McCague: In Ontario, where we live and have had to live for four years with the GST—that is, the Grits soaking taxpayers—the government's criticisms of the proposed goods and services tax rests on a blatant double standard.

It is a double standard which allows the Treasurer (Mr R. F. Nixon) to complain about the impact of the GST on the cost of housing while ignoring the fact that his own tax policies have added thousands of dollars to the cost of new home ownership; which allows him to shed crocodile tears over the GST tax treatment of provincial transfer payment recipients while hitting them with his own payroll tax; which allows him to worry about the effect of the GST on the Metropolitan Toronto region, which his

last budget transformed into the GTA—the greatest taxation area.

Double standards may be a great help in the federal-provincial political wars but they will not provide much of a foundation for a sound tax policy. The people of Ontario are not interested in this government's double standard. It is now up to the Premier (Mr Peterson) and the Treasurer of Ontario to show some leadership in finding solutions to our tax problems instead of finding excuses for doing nothing, and to finally stop trying to pass the buck and concentrate on helping the taxpayers save a few.

INTERNATIONAL PLOWING MATCH AND FARM MACHINERY SHOW

Mr McGuigan: On 19 September I believe I achieved a record as a sitting MPP: I participated in the third opening of an International Plowing Match held in a county which I represented. While a member for Kent-Elgin, the match was held in Kent in 1979, in Elgin in 1985 and, while I am the member for Essex-Kent, the match was hosted this year by Essex county.

The International Plowing Match and Farm Machinery Show was held on Highway Farms in Maidstone township. The attendance was approximately 130,000. There were 96 official entries for the competitive events, and 570 exhibitors. Among those who competed in the special plowing competition for elected officials—and the winner—was the Premier (Mr Peterson). The winner of the cowchip chucking competition was Governor Blanchard of the state of Michigan.

The chairman of the event, Jack Morris, has asked me to thank all the members of the Legislature who attended and participated in the special events. I ask the pages to play their part in this historic event and deliver cowchip chucking awards to the members for Chatham-Kent (Mr Bossy), London North (Mrs Cunningham), Elgin (Miss Roberts), Lambton (Mr D. W. Smith), Grey (Mr Lipsett) and the member for Norfolk (Mr Miller) to proudly display. Several other members received their awards on 19 September.

I would ask that all members join me in congratulating all those who supported the competition, the chairman, the host farmers, the members of the match committee and the Ontario Plowmen's Association, all of whom made this event a great success.

STATEMENT BY THE MINISTRY

ACCESS TO PROFESSIONS AND TRADES

Hon Mr Wong: I am pleased to report to the House today that I have just received an

extensive report from the Task Force on Access to Professions and Trades in Ontario. This report is the result of two years of intensive research and consultation in response to concerns raised primarily by foreign-trained groups over the barriers that these foreign-trained individuals experience in obtaining licensure or certification by self-governing professions and trades.

In 1986 the cabinet committee on race relations launched a two-phased study which highlighted a number of potential barriers. The first phase of the study was completed by Abt Associates. The cabinet then established the task force in 1987 to conduct the second phase.

I want to congratulate the three members of the task force, who are in the east gallery today, Chairman Peter Cumming, Ms Enid Lee and Dr Dimitrios Oreopoulos, for the dedication and commitment they have shown throughout this intensive research and consultation process. I want to commend them for their comprehensive report on a complex issue.

The task force has investigated and made recommendations in a number of areas where foreign-trained persons face serious obstacles to having their credentials recognized and obtaining the programs needed to help them practise in their occupations. These extensive recommendations include prior-learning assessment, licensure testing, language testing and training, retraining and decision review. The Ministry of Citizenship, in conjunction with ministries affected, will co-ordinate a response to these recommendations. This will involve an ongoing process of consultation and discussions with the appropriate stakeholders such as the professions, trades and community groups.

The task force's recommendations are also pertinent in an increasingly competitive economy. One of the ways we can ensure our continued growth and development is by striking down unwarranted barriers. Foreign-trained individuals with the proper qualifications must have the opportunity to practise in their chosen professions. As a province committed to equal opportunity for all residents, we have a responsibility to create and maintain standards of fairness that promote the best use of skills in our labour force.

Finally, I look forward to receiving input from those affected by this report so that the government's response can be formulated in a thorough and timely way.

1350

RESPONSES

ACCESS TO PROFESSIONS AND TRADES

Mr Philip: We welcome the report that has now been tabled, although one year late. The

minister's response to the report is to have yet another study on the study. That is the type of action we can expect from this government.

We have noted the difficulties with the current training educational system that is a result of this government's inaction, its underfunding. We showed yesterday that older workers are discriminated against when it comes to any kind of retraining, and we have seen that minorities and ethnic groups are not getting their fair share of the jobs and indeed, this government has refused to put in any kind of employment equity program that would remedy this situation. Instead, it is going to have another study on a study.

We have seen that the most underpaid workers in Ontario are those from the various minority groups, but this government refuses to enact any kind of legislation to deal with this. In looking through the study, one has to contrast it with the statement made by the Premier (Mr Peterson) at last week's first ministers' conference in which he talked about skills training being delivered provincially through a bipartite training council consisting of both labour and management. We see no mention of involvement of the workers or their representatives in this particular study which the minister has tabled.

The Ontario Federation of Labour in its education training paper makes it fairly clear that if you are going to have any kind of training, you must also have adequate public funding of the institutions and also provision of income support, child care, etc, in order that people from these various minority groups can take advantage of such training.

This government is completely silent on all of these items in tabling this study which it now intends to study still further. It is about time that this government showed some action and did less studying.

Mr B. Rae: I just want to make an observation with respect to this government's increasing approach to the handling of the media with respect to these announcements. I note with interest, as I am sure do all of us who watch the sociology of this place, that there is an increasing tendency by members of the cabinet to make announcements in the House that involve rather extensive packaging, that this packaging is presented to us on very short notice, we are then asked to respond and then a rather lengthy press conference is held, usually scheduled for the very end of question period, which, as every member here knows, is precisely the time at which the press and members of the opposition and

members of the government normally meet the press in the scrum.

I make no comment on this other than to say that it is an example of management of the media which is very obvious to all of us on this side. We have watched it, we have seen its evolution, we have watched its evolution. I would suspect that members of the gallery have noticed it as well, and if they have not, I would simply draw it to everyone's attention.

Mr Reville: It is 1984, 1984 is here.

Mr B. Rae: It is 1984 all over again.

Mrs Marland: I think the most significant comment on this Task Force Report on Access to Professions and Trades in Ontario has to be, on behalf of our caucus, that we congratulate Peter Cumming, the chairperson, Enid Lee and Dr Dimitrios Oreopoulos for their work and their commitment in serving on the task force. However, I am sure that they are about to be faced with the same delusion and disappointment that so many other members of government-appointed task forces and study groups have in the past four years, whereby the commission of these people to a very responsible, important investigation into a very critical matter involving the employment of thousands of people in this province is always relegated to, "Thank you very much, you have done a very nice job; we will now look at it."

The closing paragraph of the minister's statement says, "I look forward to receiving input from those affected by this report so that the government's response can be formulated in a thorough and timely way." How many times does this government have to have these people bang their heads against the wall? The minister knows the input of those affected people. He does not have to wait for more input. He knew the problem before the report was even drafted. Now he has some clear recommendations, I presume, and he is going to study them further.

I think this whole situation is a further example of this government's approach to problems. It does not ever want to make a decision, it does not ever want to be active. I think it is worth noting that this report that is tabled today on 22 November was in fact due in November 1988. So before the minister stands up and starts saying that he is going to start studying something further, why does he not look at where he is today?

He has the information he needs, why does he not move forward instantly with a remedy? I think it is insulting to ask for more input from those people who are affected, those people who

have been crying out for opportunities for employment because they are trained professionals and they are equivalent to the people who hold those kinds of jobs already in Ontario, but they simply cannot get the licence to do the job that they are equipped to do. I think it is time he showed the responsibility that he is supposed to have as the Minister of Citizenship and showed some leadership that this government is totally lacking.

ORAL QUESTIONS

YORK REGION LAND DEVELOPMENT

Mr B. Rae: I have a question to the Premier. I have received a copy of a document which is entitled, Cabinet Submission Proposal and Recommendation, and it is a recommendation apparently for a commission of inquiry into the planning, development, financing and servicing of land in the region of York as provided for in the Municipal Act.

This follows several press reports with respect to internal memoranda within the Ministry of Municipal Affairs concerning the need for such an inquiry. I wonder if the Premier can tell us why it is that the government decided not to proceed with such an inquiry?

Hon Mr Peterson: I am not aware of that particular document, to which my honourable friend refers. The minister may well be and I can refer it to him.

Hon Mr Sweeney: My recollection is that my predecessor had asked several people in the ministry to look at a number of ways of dealing with a concern with respect to York region. The commission of inquiry was one of three options that was presented to him. One of the other options was a management inquiry using and working directly with the various municipalities in York region and that is the one that the minister opted for. Other than that, I am not quite sure what else the member is speaking to.

Mr B. Rae: I wonder why the government would have rejected the option of a commission of inquiry when it was the one apparently recommended to the minister, it was at the top of the list. Those advising the minister made it very clear that the problem with simply having an administrative review is that he would not have subpoena powers, he would not be able to call witnesses and insist on witnesses and he would not be able to get to the bottom of this problem, a problem which is documented in a 12-page memorandum which is attached to the cabinet submission. This document makes it very clear

that there are officials within the ministry who are convinced that there is a problem that is larger than the government has been prepared to admit thus far. Would the minister undertake, since he is a new minister, at the very least to tell the House why he thinks that no such inquiry is called for?

Hon Mr Sweeney: Again, I am going on long-term recollection, but my memory was that the police were conducting an inquiry of their own at exactly the same time and the information and feedback that staff of my ministry were able to share with the ministry at that time was that the police had not been able to determine any basis for conducting a more full-scale inquiry and on the basis of that the previous minister made the determination that an administrative review where he could work directly with the staff and with the councils of the municipalities involved would have been more productive.

The analysis of members of my staff now, when I spoke to them about this several months ago, was that given what in fact has taken place, it was probably the right decision to have made.

1400

Mr B. Rae: This document states quite categorically that not all the evidence is available to the police or to those conducting the management review. This document also makes it clear that in their view the only way to get to the bottom of the issue, which is to say the established link between developers, municipal officials, municipal politicians and the development process is a commission. It refers directly to issues which I myself raised in the House last October 1988 with respect to the concentration of land and the impact that has on development. All these issues are clearly stated and set out in recommended terms of inquiry for a commission.

I want to ask the minister, why would he reject a commission when his own staff are telling him that it is the only way to get to the bottom of this problem; that the problem will not be dealt with by a police investigation, that it will not be dealt with by a management review, because the issues are more complex and the issues involved are different?

The Speaker: Thank you.

Mr B. Rae: Why would he not recognize that in terms of the draft cabinet submission we have here?

The Speaker: The question has been asked.

Hon Mr Sweeney: The options that were available to the previous minister were, as I

indicated, threefold. The Leader of the Opposition has referred to all three of them. The previous minister examined all of the options, he examined the potential outcome of the various options and chose the procedure that he did.

All I can say to him once again is that even within the staff of my ministry today, the very gentleman who drafted that particular proposal has indicated that the facts have demonstrated that the minister's decision was the proper one. I am not able to go back roughly about a year ago and review that decision once again. All I can say is things have worked appropriately based upon the decision that was made.

GOODS AND SERVICES TAX

Mr B. Rae: My new question is for the Treasurer. Yesterday we witnessed a rather extraordinary alliance between the Liberal Party of Ontario and the Progressive Conservative Party with respect to taxation. I would like to ask the Treasurer, in the light of this tax alliance, if he would be prepared to table, for the benefit of the House and the population of Ontario, so that people know just exactly what it is he has been saying to the government of Canada, all the documents which his ministry has prepared with respect to Ontario's potential participation in the proposed goods and services tax.

Hon R. F. Nixon: There has been no discussion between the government of Ontario and the government of Canada, or for that matter with any of the other provinces and the government of Canada, since our last meeting in April, when those discussions were unilaterally terminated by the Minister of Finance for Canada.

Mr B. Rae: That is what I want. I want to know what the Treasurer was telling the government until the Premier (Mr Peterson) pulled the plug on him. The Premier pulled the plug on him and on those discussions when he said it was unacceptable. I want to know—and the people of Ontario are entitled to know—what was the Treasurer bargaining about, what was his position, what has he been saying and what has he put on the table? Why should the future of Ontario's tax system and what Ontario—

The Speaker: Thank you. There were four questions there, I think.

Hon Mr R. F. Nixon: Yes, Mr Speaker, I think your count is correct.

The honourable member misrepresents the situation when he indicates that somehow or other—

Mr Wildman: Order, order.

Hon R. F. Nixon: The honourable member is incorrect when he asserts to the House that somehow or other the Premier has intruded himself into this sort of discussion, because that is not the case. The Premier, along with all the other premiers right across the nation, has reviewed the GST and has said it is unacceptable. The word "unacceptable" is a clear English word, and its meaning is clear. It is unacceptable to the Premier and the government of this province.

Mr B. Rae: The people of Ontario are entitled to know what the Treasurer is going to spring on them some time in the future.

Hon Mr Scott: You're not going anywhere on this one. Take up a new question.

Mr B. Rae: I know the Attorney General (Mr Scott) likes secret government; we know what he thinks of secret government. What I want to ask the Treasurer is why the people of Ontario are not entitled to know what material he has had, what arguments he has been making, what background papers he has presented and his officials have presented in the discussions that took place up until April. Why do we not get that information?

Hon R. F. Nixon: I am sorry to have to respond to the honourable member's daily attack of paranoia, but there is no plot, there is no secret government plan. He is incorrect in this regard. Any discussions with the government of Canada were all before last April, when naturally all tax—

Mr Farnan: Put it on the table, Treasurer.

The Speaker: Order. Order.

Hon Mr Scott: What we need is a real socialist party in this province.

Hon R. F. Nixon: All of the tax reviews were under discussion. There are no favours involved. We sit around the table and talk about the economy and what is the matter with the New Democratic Party, things like that.

Mr Brandt: My question is for the Premier whom I would like to welcome back to Ontario, and I want to say to the Premier—

[Applause]

Mr Brandt: Well, I did not expect to extend that warm a welcome, but I do want to say to the Premier that in discussions that we had in the House yesterday with respect to the motion put forward by the New Democratic Party, it appears in fact that the Treasurer of this province agrees that the 13.5 per cent manufacturers' sales tax is outdated and must go in its current form.

It also appears that the Treasurer of Ontario, being the clear-thinking individual that he is,

recognizes full well that there can be some considerable improvement made to the proposed nine per cent goods and services tax. Those two facts being before us, and having been debated in this House yesterday, I wonder if the Premier would share with the House under what set of circumstances would the province of Ontario—and I would prefer that this question not be referred to the Treasurer, whom we heard from yesterday on this question—consider some form of co-operative program with respect to these proposed tax adjustments at the federal level.

Hon Mr Peterson: First of all, let me thank my honourable friend for his very warm welcome back to the House, and I did miss him; I want him to know that. Let me welcome him into the leadership of his own party. I understand he joined the race when I was away. You just never know what mischief will overtake this place when I am away.

That being said, let me just say to my honourable friend that he asked a hypothetical question, and I want to say that it is extremely difficult to answer given the kind of presentation and the deportment of the federal government in this matter. He referred to the 13.5 per cent manufacturers' sales tax, which he said is unacceptable. The federal government has called that the silent killer of jobs. The member recalls that?

Mr Brandt: Yes.

Hon Mr Peterson: Why would someone who feels that strongly about it have raised the tax from nine per cent, when they came in, to 13.5 per cent now? If the member was looking at that objectively, and I know he does, would he not wonder about the sincerity of a government that attacked its own policy that it raised some 50 per cent in its own tenure? So it is very difficult to know what is the real basis the federal government is operating on.

They also talk about the inflationary aspects of that tax. Most people do not agree with their assessment. They are predicting no response in terms of wages or prices throughout the community. We do not agree with those analyses.

So I tell my honourable friend it is extremely difficult to take what they are saying at, shall we say, face value in this entire matter.

Mr Brandt: Let me dissuade the Premier from any apprehensions he might have with respect to leadership aspirations. On the part of the interim leader of the Conservative Party, I am not a candidate. I have made that very clear. The Premier can rest a little more lightly at night as a result of that.

Secondly, may I say with respect to my supplementary, and I mean this with a great deal of sincerity, that it is easy to be against things—

Hon Mr Bradley: Yep, you know all about that.

Mr Brandt: —and we understand that there is virtual unanimity at the federal level.

Hon Mr Bradley: Well, you know all about that.

1410

Mr Brandt: I wish the Minister of the Environment would restrain himself. I will be back to him with my next question. I will be there shortly; he should just be calm.

The Speaker: Order. We have almost taken up the time of a member's statement, so let's finish this one before we get to the next one.

Mr Brandt: I am moving as quickly as I can, but it is difficult at times.

I want to say to the Premier that he, in fact, as the leader of the province of Ontario and as the first minister of this jurisdiction—

[Applause]

Mr Brandt: I would ask that government members please not take up my time with their applause—has a responsibility to come forward with an alternative in the interests of Ontario and in the interests of this country. If he does not like the goods and services tax and the nine per cent proposed, and if in fact he agrees that the 13.5 per cent is an antiquated tax and should go, what does he propose as an alternative?

Hon Mr Peterson: It is no wonder he is not running for leader. I can understand on the basis of his last two questions. He has just changed his mind again.

I can say that my honourable friend would assume we caused the problems in Ottawa, which we did not. He should just look at the fiscal policy in Ottawa since they assumed office on 4 September 1984. They have done nothing appreciably with the deficit. This Treasurer (Mr R. F. Nixon) has dealt with the deficit in this province. He has shown a consistency of purpose. He does not change his mind just when an election comes along.

We have given the federal government advice on interest rates. They choose not to take our advice on interest rates. I say to my honourable friend, they are the authors of their own misfortune in many respects. Had they taken the advice of this Treasurer on all fiscal matters, in terms of transfers, tax rates, capital gains tax and a lot of other things, I can tell members that the

federal Minister of Finance in this country would be in a lot better shape than he is today. Any time that he would like this Treasurer and this government to take over and run the country, we are prepared to do that, because we are a lot better.

Mr Pope: Now there's a good reason for a leadership campaign.

Mr R. F. Johnston: Pack deal. They get both of you.

Mr Pope: A new Liberal candidate.

Hon Mr Peterson: Let's all go to Ottawa and we will do it right.

The Speaker: Order.

Mr Brandt: I am glad to hear that the Premier of the province of Ontario has now thrown his hat into that Liberal leadership ring at the federal level.

Let me say to the Premier, he knows full well that expenditures in this province are virtually triple, on an annualized increase basis, those of the federal government in Ottawa. When the Premier talks about fiscal control, he inherited virtually no deficit in this province, and the federal government inherited a crippling deficit which it is still trying to deal with.

What is the Premier's alternative? I believe he has a responsibility to state quite clearly what the province of Ontario would prefer in a co-operative undertaking with the federal government. What does the Premier suggest be done?

Hon Mr Peterson: I invite a debate on the quality of this minister of finance versus the federal Minister of Finance. I invite that debate because I can tell the member, he inherited a deficit of some \$3.6 billion and we can look at it today. This is a person who has developed a budget that pays as we go, that is responsible in all respects. Sure, we have increased services, and one day the member stands up in this House and says we should spend more on this, and the other day he says we should have less taxation.

That is the joy of being in opposition; he can have it both ways. That is what he prefers to do. But I can tell him, the Treasurer has shown a consistency and a responsibility that the federal Minister of Finance has not shown. The federal Minister of Finance has changed his rationale almost every day on the goods and services tax.

He originally said it was not to balance the budget; now he is saying it is to balance the budget. It is very difficult for provincial ministers of finance, all of them, who have found this new approach unacceptable, every single one of them, to deal with a government that changes its

ideas and its rationale every single day. This is a government that is responsible in all respects and will continue to exercise its responsibility, but I will say to my honourable friend, unlike some of his—

The Speaker: Thank you. Order. That seems like a fairly lengthy response. New question to the Minister of the Environment?

Mr Brandt: Yes, you anticipated the direction in which I was going, sir.

Hon Mr Elston: You told him.

Mr Brandt: I know that I told him, and I wanted the minister to be prepared.

SEWAGE TREATMENT

Mr Brandt: My question is for the Minister of the Environment. I would like to suggest to the minister that there are some concerns in eastern Ontario that I was able to identify as a result of a trip I made there this fall. One of those concerns is with respect to the community of Beachburg.

I want to show the minister a sample of the water in Beachburg and the effluent that is contained in that water. This is the water that Beachburg residents are forced to drink every day.

Mr Kerrio: Go ahead, Andy.

Hon R. F. Nixon: Down the hatch.

An hon member: Don't do it, Andy.

Mr Brandt: Since the minister is prepared to force the citizens of that community of Beachburg to drink this water, I wonder if he is prepared to drink the water of Beachburg himself.

An hon member: You go first.

Mr Brandt: I send that over to the minister.

Some hon members: Drink, drink, drink, drink.

The Speaker: Order. Order.

Hon Mr Bradley: Of course, I have no idea where the member for Sarnia gets anything that he sends across here, but I have my suspicions. I think what the member makes reference to, of course, is the amount of money that is being spent, a tremendous amount of money in the province of Ontario at the present time, on water and sewer projects, and other projects of this kind from one end of the province to the other, including eastern Ontario.

The member would want to know that my ministry is funding some 1,812 projects at the present time which are designed to improve and expand upon our province's water systems. We have committed some \$1 billion ongoing in

financial assistance to ensure this work is completed in the coming years. This, of course, as the member would know, includes direct grants to municipalities for such things as water and sewer plants. It includes improving private water and sewage systems, as he is well aware, and commissioning studies for the needs of different municipal systems through the Life-Lines project which we put into place, which his federal friends have not joined yet but which we have municipalities in the province involved in, and includes beaches improvement and provincial water and sewage initiatives.

Mr Brandt: Let the record show that the minister was not prepared to drink the water that he is forcing the residents to drink in that community.

Hon R. F. Nixon: He's not thirsty.

Mr Brandt: That is exactly what he just did. I want to give him an unequivocal assurance that that water came from Beachburg and that that is the water the residents are forced to drink.

My question to the minister is very simple: In the community of Smiths Falls, I want the minister to know that twice over the course of this past year the hospital in Smiths Falls had to be closed down because the sewer system backed up, contaminating that particular building, forcing them to close the hospital and to cancel surgery—I say to the Minister of Health (Mrs Caplan)—and disrupting operations there because of the unacceptable environmental conditions. What is the minister prepared to do to provide the money to that community? Since he is apparently funding thousands of communities, why not Smiths Falls?

1420

Hon Mr Bradley: As the member is fully aware, having been the Minister of the Environment on one occasion—that occasion, of course, when they were spending about \$100 million less a year on water and sewage projects in the province of Ontario in terms of the direct grants, so he would well recall this situation. He knows that we go through the committee, which is a technical and scientific committee of the Ministry of Environment that evaluates all of the projects that come forward. In some cases, a number of municipalities proceed with those projects as they see fit. In other cases, they decide not to proceed.

I can tell the member that each and every one of them which puts forward such a proposal is evaluated carefully, and he has other colleagues in the Legislature who have had projects which

have been approved. They have had difficulties and we have attempted to address those difficulties with tremendous amounts of money.

I mentioned some \$1 billion in ongoing projects right across the province of Ontario, with about 400 of those projects going on in eastern Ontario at the present time. When they bring forward their proposals each year—

The Speaker: Thank you. Order.

Mr Brandt: My final supplementary is again to the minister. In spite of the fact that the minister indicates that there are a number of projects in eastern Ontario, the percentage of money that he has contributed and has committed to that part of the province is extremely low and unfair.

The community of Spencerville, as an example, for four years now has gone to the minister indicating a serious concern about leachate from an antiquated septic tank system which is contaminating the drinking water in that community. When is the minister prepared to make a commitment to some of these communities that have had to go to him on bended knee year after year to try to upgrade the systems that they have in their communities?

Hon Mr Bradley: I point out to the member, who has a very bad memory of these things and a bad memory of days gone by—

Mr Brandt: I have an excellent memory.

Hon Mr Bradley: —that there are some 126 projects in various stages of completion in eastern Ontario at the present time, and in municipalities, for instance, outside Ottawa-Carleton, because I know he does not want to consider Ottawa-Carleton.

Our statistics, of course, clearly indicate that eastern Ontario is getting, in terms of population, for instance, more than its fair share in the province of Ontario. I can indicate to the member that the average project in eastern Ontario gets some 77 per cent of the project paid for. In other areas of the province that is not always the case.

Mr Wiseman: Oh, not in the rural areas.

Mr Sterling: Not in the region.

Hon Mr Bradley: In eastern Ontario, that in fact is the case, up to 85 per cent. Because a number of the communities are small, they get that kind of money.

I want to remind the member that projects such as Almonte, Richmond township, Russell township, Hagarty, Kingston township, Macksville, Wendover, Thurlow, Trenton, Tweed, Winchester—

The Speaker: That seems like a fairly—
Interjection.

The Speaker: Order. Would the minister take his seat.

Interjection.

The Speaker: Order. I would remind all members that half the question period is gone with four questions.

OFFICE OF THE OMBUDSMAN

Mr Philip: I have a question of the Attorney General. I am sure the minister will recognize that under the present Ombudsman Act, the Ombudsman in this province has fewer powers than in practically any other jurisdiction. I have a question concerning his bill which he introduced yesterday that restricts that jurisdiction still further.

Is it the Attorney General's understanding that the bill he introduced yesterday excludes the Ombudsman from investigating any decision or administrative action of a public servant based on an order in council? Is that the intent of the bill?

Hon Mr Scott: No, it is not. While I am on my feet, I should explain that it is not the most restrictive ombudsman act in the world, as my friend says. It is the largest, most fully funded, most expansive government Ombudsman's office in the western world.

Mr Philip: It is hard to understand how the minister could say that without a shovel. The Ombudsman, in his response to the Supreme Court case in Crown Trust Co clearly indicated that there was no attempt, contrary to the statement by the Attorney General yesterday in his statement on the bill, by the Ombudsman to investigate deliberations or proceedings of the cabinet. Does this bill in any way prohibit the Ombudsman from investigating decisions made under regulations which are orders in council. If so, why would he want to exclude 50 per cent of the present complaints that are launched with the Office of the Ombudsman?

Hon Mr Scott: None of that is what is happening at all. As the honourable member knows as well as anybody in the House, the Ombudsman Act excludes the Ombudsman's power, and always has, to look into the proceedings of cabinet. A debate has existed for almost a decade about whether the proceedings of cabinet include simply the debate up to the decision and the decision, or the decision itself.

All previous ombudsmen, including Dr Hill, until the last year have taken the position that decisions of cabinet themselves cannot be

reviewed by the Ombudsman. He changed his mind in the last year and a half of his office, and the purpose of this amendment is to add one word to clarify what everyone thought the law always was, which is that decisions of the executive council could not be reviewed by the Ombudsman.

There is no democratic government in the western world that, as the honourable member for Carleton (Mr Sterling) says, does not impose a political obligation to answer for decisions of cabinet. It is not an Ombudsman's function. It is a political function discharged by the government of the day.

ONTARIO HUMAN RIGHTS COMMISSION

Mrs Marland: My question is to the Premier. He will remember that the subject of the troubles of the Ontario Human Rights Commission were referred by resolution of this House to the standing committee on government agencies. This morning the Liberal members of that committee voted against hearing from any former or present employees of the Ontario Human Rights Commission. This is like conducting the Dubin inquiry without calling Ben Johnson.

My question is this: Could the Premier tell this House and the people of Ontario if the stonewalling by the Liberal government members of that committee represents what his government stands for today in Ontario?

Hon Mr Peterson: I think that the people of this province understand the committee system of this House. The committees are independent and the members make independent decisions.

Mrs Marland: I am not about to believe in Alice in Wonderland today and I do not think the people of Ontario will accept that answer. The Premier appointed Raj Anand as the chief commissioner of the Ontario Human Rights Commission. At that point, the Premier extolled his virtues, his abilities and his talents. My question today is, does the Premier not agree that it would be to the benefit of human rights and the human rights movement in this province to hear today from Raj Anand, who has served as chief commissioner of the Ontario Human Rights Commission?

Hon Mr Peterson: I would assume the honourable member believes in the democratic system and I would assume the honourable member believes in the committee system of this House. I have every faith in the process to deal with those matters. I am not the one who makes those decisions. The member is so very persua-

sive, I am surprised she cannot persuade people to follow her lead in these matters.

1430

HIGHWAY TRAFFIC

Mr Dietsch: I have a question for the Minister of Transportation. A great number of my constituents have expressed a great deal of concern to me regarding the congestion of the Queen Elizabeth Way. The volume of traffic is becoming heavier and heavier en route from St Catharines to Toronto. I would like the minister to give this House an update on the plans for its expansion, if he would.

Hon Mr Wrye: I know my friend the member for St Catharines-Brock has spoken with me about this important roadway on a number of occasions and I suppose, having chatted with him as recently as yesterday and heard the length of time it took him to get from St Catharines to Toronto, a period of time which I found a little astounding, I can understand the reason for the question today.

The member would want to know that there are plans for the expansion of the QEW from its present four lanes to six from Hamilton to St Catharines, that those plans are on the books now and that the work will begin shortly and will continue over the next six or seven years. The member would also want to know, and so would his constituents and those most involved in travelling that corridor, that in regard to the very first information asking for a bridge expansion widening, the contract for that project is now being advertised and that will be the very first stage of this important new project.

Mr Dietsch: In my view, we must do something now to wrestle with the problems of increasing traffic travel time. I think we should review such things as restricting the number of people travelling in cars, increasing car pooling, the number of lane changes, the limiting of lane usage, as they do in other North American centres, and extending rapid transit such as GO Transit. I would like to have the minister's comments on those views.

Hon Mr Wrye: The honourable member raises a number of important possibilities, and I have asked my staff to accelerate some work that they were doing particularly looking at restricted driving lanes for high volumes of individuals and what we can do to encourage more people to use some of the excellent car pooling parking facilities that we have where individual drivers can come together in outlying areas, park their cars and go in in a single vehicle.

Indeed, we are doing everything in terms of public transit to continue the expansion of the GO Transit system onward to Hamilton so that some time in the mid-1990s we can have as full a service as possible to that community which will serve not only Burlington and Hamilton, but also people in the Niagara Peninsula and will serve them much better than we are able to do today.

WINDSOR AREA ECONOMY

Mr D. S. Cooke: I have a question for the Premier. The Premier will be aware of the incredibly deep recession that my community Windsor went through in the early 1980s. He should also be aware that in the last couple of months, the following companies have announced plant closures: Charles Laue, Gibson, Dominion Forge, Central Stampings with some layoffs, Fabco, International Playing Card and Tums. As well, the Ford Motor Co has announced that there is the likelihood that one of its engine plants will close, throwing 1,000 people out of work, and Chrysler Canada's full-size van plant has announced the indefinite layoff of 400 employees.

There are a lot of people in my community who are concerned that we are heading in exactly the same direction that we were in the late 1970s, into a deep recession in my community. I would like to ask the Premier what specifically he is prepared to do to help diversify our economy in Windsor so that it is not so reliant on the auto industry.

Hon Mr Peterson: I certainly understand the concerns expressed by my honourable friend. As he knows, there are a variety of projects for growth for next year in Ontario. The operating premise right now is about two per cent, which is not recessionary, although admittedly, as my honourable friend says, it will have different effects on different parts of the province.

The government has been concerned about some of the structural problems in the province and one indeed is, shall we say, an overreliance on the automotive industry, and that particularly occurs in my honourable friend's area. We have, as he knows, made a great number of investments through the Premier's Council in a number of structural questions over the last two or three years, particularly in the areas of research and development, in areas that we think are going to have an effect on this province in the long term.

That being said—my honourable friend asked me about Windsor; he could ask me about other communities that in some senses are more vulnerable—my honourable friend will be aware

as well that certain industries are more vulnerable under the new trading arrangements than others are, which is a great source of concern to us. But, on balance, the job situation has been up very substantially this year and we project again that it will grow next year. That does not deny for a minute that there will be certain areas of problems.

Mr D. S. Cooke: The latest statistics indicate that over 10,000 people are collecting unemployment insurance in the Windsor community, and there are nearly 2,000 people in the city of Windsor who are employables who are collecting welfare. We have a very high unemployment rate. The Premier's home community of London has the lowest unemployment rate for an urban area in all of Canada.

I would like to ask the Premier specifically whether he thinks it is fair that the Windsor-Essex area has 885 provincial civil servants working and living in that area, whereas the Premier's community, with the lowest unemployment and a well-diversified economy, has nearly 4,000 civil service jobs. I could run through other inequities that exist: Wellington, with nearly 2,000, Hamilton-Wentworth with nearly 3,000, and my community has fewer than 1,000 provincial civil service jobs. Is it not about time that the Premier responded to the requests from my community that we get our fair share so that the government can help diversify Windsor's economy?

Hon Mr Peterson: I look back the last two or three years—and I am not arguing for a minute that we cannot do a lot better—but I look at the enormous range of projects that have gone into the Windsor area in the last two or three years under the remarkable leadership of the Minister of Transportation and others who have taken a very positive view in this matter.

We have worked very closely with the mayor on this matter, I can tell my honourable friend; not just this mayor but the previous mayor, who was a close ally of the member's until he threw him out and who has told me that they have never seen such co-operation from Queen's Park in their projects. We will continue to do that.

We recognize that the general prosperity in the province is not evenly distributed. I do not think my friend is accurate when he compares it to London. He could compare it to Hamilton, which I think has one of the best records in the province right now, or to the Toronto area. I am not suggesting there is an even number of public servants in each area. We have been trying to even out those opportunities. Look at the

remarkable things that have gone on in northern Ontario and in many other communities in southwestern Ontario.

The member has every right to stand up in this House and draw attention to his particular community, but I say to my honourable friend, if he would look at the overall level of prosperity, it is pretty good. We will certainly try to respond in specific cases wherever we can and whenever there are things we can do that are reasonable in the circumstances.

POLICE USE OF FIREARMS

Mr Runciman: My question is for the Solicitor General and deals with one of the recommendations he made last week, specifically the suggestion of further restrictions on police officers in this province with respect to their ability to fire their weapons. Some police officers are suggesting that this proposal is really questioning the ability of police officers across Ontario to exercise proper judgement. I wonder if the minister would explain to the House why he feels it is necessary to bring in these kinds of additional controls.

Hon Mr Offer: I thank the honourable member for the question. I think it is important to realize that the recommendations of the Lewis task force report called upon our government to request or petition the federal government to amend subsection 25(4) of the Canadian Criminal Code. Currently, that particular subsection states that a police officer may discharge a firearm in the apprehension of an individual. The task force report said that the Criminal Code ought to be amended to say that discharge of a firearm should be permitted only where there is an immediate threat of death or danger to the officer or the public.

We have agreed with the thrust of the recommendation of the task force report, and in consultation with the Attorney General (Mr Scott), who will be petitioning the federal government, I will be asking for an amendment to the Criminal Code, not in the words of the task force report but rather in the words "where there are reasonable and probable grounds." We believe that this will not only meet the thrust and the intent of the legislation, but also provide that degree of decision-making for the officer in the exercise of his function.

1440

Mr Runciman: One has to be concerned about how police officers across this province are going to react to this kind of additional restriction. They already have restrictions on drawing

their weapons and firing their weapons. Now they are going to have to consider the consequences, all in a split second, of course. I want to remind the minister of Constable Douglas Tribbling of the York Regional Police who, in 1984, entered a building where there was a suspected break-in and was shot five times, his gun still in the holster. We are going to have police officers across this province facing those kinds of concerns because of the additional restrictions the minister and his government are placing on them.

Is the minister prepared to consider this kind of an initiative, the impact it is going to have on police and, ultimately, on public safety across this province?

Hon Mr Offer: Let me tell the member that since I have been the Solicitor General, since 2 August of this year, I have taken the time and the opportunity to discuss this particular task force report not only with the community at large, but also with representatives of police forces across this province. Let me tell the House that they are very much aware of the necessity of this type of amendment. They understand what this amendment is designed to accomplish, and I am very confident and optimistic about the response of police forces in this province.

WIFE ASSAULT

Mr Adams: My question is for the Minister without Portfolio responsible for women's issues. I know that the minister has been travelling through the province recently to promote awareness of the issue of wife assault. She will be in Peterborough later today. The government has undertaken an extensive public awareness campaign, including very graphic TV and radio commercials.

However, occupancy rates in emergency shelters for women and children escaping from violence are very high. In my riding, from 1 July to 30 September this year, one of the two residences operated by the Young Women's Christian Association was at 186 per cent of its capacity. There were 85 children involved over that time period.

The Speaker: Do you have a question?

Mr Adams: What is the minister doing to address this problem?

Hon Mrs Wilson: I want to thank the member for Peterborough for addressing the issue of wife assault and raising his concerns, and also raising the awareness of people across the province and in his riding that wife assault is indeed a crime. There is no excuse for wife assault. It is not a

private matter. Each of us has a responsibility for preventing wife assault.

The government's commitment is to a long-term wife assault prevention strategy, and it includes a comprehensive and co-ordinated approach. It is a strategy that I believe is very effective. It is a three-pronged approach: first, in the area of prevention and education, second, in the area of enhanced criminalization and justice services and, third, in the area of shelter and counselling services.

Wife assault is a vicious cycle of repeated and very often increasingly intensified assaults. If we are to break that cycle, we are going to have to change attitudes. Changing attitudes involves public education. Those television commercials are very graphic but, in fact, they portray wife assault as it really exists.

Mr Adams: I am grateful to the minister for responding to my question. For my supplementary I would ask this: Has the minister considered the benefits of establishing some kind of follow-up counselling service for victims of family violence who have exhausted their permitted length of stay in a shelter and their immediate access to specialized counselling?

Hon Mrs Wilson: For assaulted women, having a safe place to go is vital. Our new funding formula for shelters will assist communities to provide those safe havens. Victims of wife assault have been designated as a special priority for first access to local housing authority units and also to a proportion of new nonprofit housing units. In addition, we are placing emphasis on second-stage housing which will provide the transition from the time in the shelter to housing that they will have on a permanent basis. There are now seven such projects in the province.

Counselling services are provided through various contracts with the Ministry of Community and Social Services. This year they have increased family counselling funding by more than 200 per cent, from some \$2 million to more than \$8 million this year alone. There are also other agencies within the community that, while they do not have a particular mandate for counselling, are providing that, in particular for children.

I believe that we have done a great deal but there is still a great deal to be done. I ask all members of the House to join with us in working, particularly during this month, on preventing wife assault in the province of Ontario.

NATIVE SUICIDE RATE

Mr Pouliot: My question is to the minister responsible for native affairs, in regard to yet

another suicide. Last weekend in the small community of Kingfisher Lake, a 16-year-old youth hanged himself. In the northern communities north of Sioux Lookout, with a combined population of some 17,000 people, the native peoples have experienced some 40 suicides in the recent while, which averages between one and two a month, more than four times what the provincial average is. This calamity must cease. What emerges is the picture of an individual who is deprived, whose culture is shattered, who is confronted daily with poverty, unemployment, overcrowding and disease.

In view of the calamity, in view of the urgency of the situation, I am sure that the minister would share in our sorrow and wish to get to the bottom of this. Will he share with us what specific plans he has so that the lives of native people in northern Ontario will not have to result in a premature end? This is a problem for the minister's soul.

Hon Mr Scott: I want to thank the honourable member for his question. I know how seriously he takes this very important issue, as do I. He will recognize that the high native suicide rate is not simply a function of natives who live in northern Ontario, but is a function of native populations across the country. It is a tragedy and its origins may be the ones the honourable member describes. I am very conscious of it.

As the member knows, the native affairs directorate is a directorate, not a ministry, and does not deliver policies or programs to communities. But I have been working very closely with my colleagues the Minister of Health (Mrs Caplan) and the Minister of Community and Social Services (Mr Beer), each of whom has a responsibility in this area and who has developed significant new programs at very considerable expense that are designed to focus on the mental health component of this serious question.

My honourable friend I think will be satisfied if he directs his question to them for details of those programs. However, if he wishes to phrase a supplemental I will do my best to begin to describe them for him.

Mr Pouliot: I am not going to ask the minister for self-government. The traditional picture of an Indian is one who endures great pain without crying out, endures frustration, keeps his emotions inside. The minister is right that the same problem has occurred in each and every province over the years in Canada.

People have taken the bull by the horns. They have established a task force in British Columbia, a task force in Saskatchewan, a task force in

Manitoba to deal with a similar situation. I am asking the minister, at a reasonable cost, does he have the political will to go to the bottom of this affair? Will he commission a task force?

Hon Mr Scott: I have had occasion to work with a number of task forces in the past and I do not deny their utility. Certainly this government has instituted some. I do not think that a task force will teach us much that we do not know about this important and difficult social problem.

I want to emphasize to the honourable member that we take it seriously and both ministries co-operatively have funded, for example, Ojibway Tribal Family Services, which I believe serves in excess of 60 bands in northwestern Ontario and provides mental health services and other services that are designed to grapple with this very difficult kind of condition. The ministries also provide additional family service and children's programs, young offender programs on the criminal side, in the northwest which are designed to focus on these serious questions.

1450

The solutions are not short-term, but I want to assure the honourable member that the members of this government are directly concerned about the kinds of serious human questions he raises. Steps have been taken in the last three years that have never been taken before in Ontario to try and seriously address those questions. A mere inquiry is not going to advance the issue further.

TRAINING FOR FIREFIGHTERS

Mr Villeneuve: To the Minister of Skills Development: The minister probably knows much better than his predecessor that much of rural eastern Ontario is served only by volunteer fire departments. There are no full-time fire departments in my riding and in many others throughout eastern Ontario, although the area is crossed by the Toronto-Montreal and Toronto-Ottawa rail corridors, Highway 401, Highway 417 and many others.

Can the minister assure the residents of rural eastern Ontario served by volunteer fire departments that his ministry will not refuse training funds on the grounds that volunteer fire departments are not full-time municipal employees?

Hon Mr Conway: I want to thank my friend the member for Stormont, Dundas and Glengarry for his question and for his interest in the whole issue of fire protection in rural Ontario. He should know and he will know that the government of which I am a part has taken very important initiatives in the area of providing

additional support to rural volunteer fire departments.

I can think of circumstances that I know in my county where, under the direction and leadership of the member for London South (Mrs E. J. Smith) when she was the Solicitor General, we provided encouragement and support for the office of the Ontario fire marshal to provide training for rural volunteer firefighters. It is my understanding that support is still in place and available to communities in the united counties of Stormont, Dundas and Glengarry.

Mr Villeneuve: Encouragement and dollars are a little different, and the dollars were not forthcoming. I am sorry to tell the minister that. His predecessor was a captive of the bureaucracy and I hope he will not be in the same rut as he was.

What sort of review has the minister conducted to determine why some volunteer fire departments were funded in the past by the Ministry of Skills Development and no longer are, and will the minister authorize funding for volunteer fire departments where there are not full-time employees to perform the very essential work we take for granted very often from our volunteer fire departments?

Hon Mr Conway: To my friend from Moose Creek, I simply want to reiterate that this government does recognize the important role the volunteer fire departments play across the province, and most especially in rural Ontario. I simply want to reiterate that we will continue to provide the support, but I repeat that the principal obligation there will fall on the office of the fire marshal, which office has, over the time we have been in office, provided very real encouragement and support to rural fire departments of a volunteer nature.

ATTENDANT CARE

Mr D. R. Cooke: I have a question for the Minister of Health. The minister is presently reviewing the health professions legislation review with a view to bringing in new legislation to license the members of qualified and regulated health professions.

Bunny Waechter is a resident of a housing co-operative that houses a large number of people who, like Bunny, are disabled. They are concerned that the health professions legislation review will have an adverse effect on the attendant care they receive from homemakers, nursing assistants and others in order to perform their daily routines. For example, homemakers and nursing assistants often need to administer

injections, inhalations and enemas under the direction of a doctor or nurse as part of a disabled person's daily routine.

Could the minister indicate to the members of the House what actions the ministry is taking to ensure that these individuals continue to receive the help necessary to remain independent.

Hon Mrs Caplan: I would like to acknowledge the member's interest in this very important area. He knows it is one of the goals of our government and of the Ministry of Health in particular to be supportive of programs that make it possible for individuals who have disabilities to achieve the optimum level of independence and to live in the community wherever possible.

I want to recognize as well the leadership of my colleague the Minister without Portfolio responsible for disabled persons (Ms Collins) as an excellent advocate on behalf of disabled persons in ensuring that all the policies of this government are responsive.

Our aim at the Ministry of Health is to improve the regulation of Ontario's health professionals while at the same time maintaining quality of care, ensuring quality of care and enhancing public protection. These are the guiding principles as I approach the health professions legislation review, which he knows I have received.

The legislation I intend to introduce, hopefully this spring, will embody these principles and policies. I want to assure the member that they will respect the needs of disabled persons in Ontario.

Mr D. R. Cooke: I am delighted the minister has such a strong commitment to maintaining the independence of disabled persons in the province. Is the minister able at this time to indicate if the possibility of exemptions will take place and be included in the health professions legislation when it is introduced?

Hon Mrs Caplan: I am pleased to have a chance to qualify and clarify the process. Our ministry officials have met with representatives of the Ontario Advisory Council for Disabled Persons as well as with medical, professional and consumer groups and so forth, and with the Ministry of Community and Social Services as well, as we develop our response to the health professions legislation review. We will continue to meet with the groups to ensure the appropriate legislation will be tabled that will meet the needs of disabled persons in Ontario.

We are exploring ways of enhancing the ability of disabled persons to obtain assistance as well as to be able to live as independently as possible in the community.

VISITOR

The Speaker: Just before I call the next order, I would like to inform the members that in the lower west gallery we have Darlene Marzari, member of the British Columbia Legislature and chairman of the standing committee on public accounts.

PETITIONS

FRENCH-LANGUAGE SERVICES

Mr McCague: I have a petition, signed by 438 constituents, to the Premier and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas on November 18, 1986, the French Language Services Act of Ontario has been passed, the French and implementation procedures were not publicized to the awareness of the general public and seven elected members were absent in the House on the above date and the majority of citizens of Ontario were not represented; and whereas at no time have the people of Ontario chosen to become officially bilingual by giving a mandate to the government by referendum; and whereas the vast majority of Ontarians speak English fluently; and whereas the implementation of Bill 8 is proceeding with enormous cost to taxpayers while cutbacks are being made in funding in health care, education, environment, etc; and whereas one official language is a practical necessity; so

"We, the undersigned citizens of Ontario, hereby affirm that we desire English to be the one and only official language, and furthermore petition the government of Ontario to repeal Bill 8, the French Language Services Act of Ontario, without delay and keep English the only official language in this province"

"We further respectfully request the above-mentioned member of Parliament to stand and read this petition imploring every member of the House to study this law and to demand a copy of its implementation procedures manual, and to bravely reveal the contents of both law and implementation to his and her constituents, who may be able to intelligently take a personal stand on this issue as soon as possible."

I do not necessarily endorse this, but I do understand the right of people to have these presented to the House.

The Speaker: With respect, I would like to draw the member's attention to our new standing orders. You are allowed a brief time to explain it, not to read the whole thing directly. As you

know, we have a new time limit on petitions. If the member has not read it, I am sure he will read it at breakfast tomorrow morning.

1500

Mrs Fawcett: I have a petition from the people residing in my riding and the Quinte riding asking that the government refrain from further implementation of the French Language Services Act. I have attached my signature according to the standing orders and for no other reason.

Mr Eves: In order to save time, I have two petitions identically worded to the one introduced by the member for Simcoe West (Mr McCague), one signed by 33 constituents and the other signed by 55.

Mr Fleet: It is my duty to present a petition signed by 53 of my constituents, despite the fact that I am strongly and fundamentally in disagreement with the petition. The petition calls for the repeal of the French Language Services Act, 1986.

Mr Villeneuve: I have a similar petition as presented by my colleague the member for Simcoe West and I present it to this House.

ORDERS OF THE DAY

INDEPENDENT HEALTH FACILITIES ACT, 1989

House in committee of the whole.

Consideration of Bill 147, An Act respecting Independent Health Facilities.

The First Deputy Chair: For the attention of members, you may recall that we had deferred to this time the taking of several votes on a variety of amendments that were proposed to this bill. Do we have unanimous consent to have one division?

Some hon members: No.

1512

The committee divided on Mrs Caplan's amendment to subsection 1(1), which was agreed to on the following vote:

Ayes 90; nays 0.

The First Deputy Chair: The next item is a motion by Mr Eves.

Mr Eves: I would like to explain the previous vote. First, we asked that the vote be stacked last week and we have since satisfied ourselves that in effect the minister's amendment does the same thing that I was attempting to do with this amendment, which I shall now withdraw.

Section 1, as amended, agreed to.

The committee divided on Mr Reville's amendment to subsection 5(7), which was negated on the following vote:

Ayes 27; nays 63.

Section 5 agreed to.

The committee divided on Mr Reville's amendment to subsection 7(1), which was negated on the following vote:

Ayes 15; nays 75.

The committee divided on Mr Reville's amendment to clause 7(3)(a) and clause 7(3)(b), which was negated on the following vote:

Ayes 27; nays 63.

The committee divided on Mr Eves's amendment to subsection 7(7), which was negated on the following vote:

Ayes 13; nays 77.

Section 7, as amended, agreed to.

The committee divided on Mr Eves's amendment to subsection 8(1), which was negated on the following vote:

Ayes 27; nays 63.

Section 8 agreed to.

1520

The committee divided on Mr Eves's amendment to subsection 9(5), which was negated on the same vote.

Section 9 agreed to.

The committee divided on Mr Eves's amendment to subsection 19(4), which was negated on the same vote.

The committee divided on Mr Eves's amendment to subsection 19(5), which was negated on the same vote.

The committee divided on Mr Eves's amendment to subsection 19(6), which was negated on the same vote.

The committee divided on Mr Eves's amendment to subsection 19(7), which was negated on the same vote.

Section 19 agreed to.

The committee divided on Mr Eves's amendment to subsection 22(1), which was negated on the same vote.

Section 22 agreed to.

The committee divided on Mrs Caplan's amendment to subsection 43(3), which was agreed to on the following vote:

Ayes 77; nays 13.

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Section 43, as amended, agreed to.

Bill, as amended, ordered to be reported.

On motion by Mrs Caplan, the committee of the whole reported one bill with certain amendments.

VETERINARIANS ACT, 1989

Mr Ramsay moved second reading of Bill 39, An Act to revise the Veterinarians Act.

Hon Mr Ramsay: I wish to table, for second reading, a bill to revise the Veterinarians Act. The purpose of this bill is to make revisions to the existing Veterinarians Act to better protect the interests of the public with respect to veterinary medicine in Ontario.

Under the proposed new act, important requirements to protect the public and the rights of members of the veterinarian profession are: the Ontario Veterinary Association is continued as the College of Veterinarians in Ontario; provision for at least three and no more than five members of the council of the College of Veterinarians to be lay representatives; provision of an independent board to hear appeals made by the public or members in respect of decisions made by the complaints committee and appeals by members from decisions made by the registration and accreditation committees; provision for the making of regulations subject to the approval of cabinet to govern matters relating to the public interest, such as licensing and discipline; and provision for the Minister of Agriculture and Food (Mr Ramsay) to require the council of the College of Veterinarians to amend, make or revoke regulations.

I wish to make it clear that the Ontario Veterinary Association has conducted its affairs in a very responsible manner and that this legislation is not an indication that the association has not governed the activities of its members satisfactorily. However, the Ontario Veterinary Association is a self-governing profession and it is important that the legislation the association administers provide appropriate protection for the public and the members of the profession.

The Ministry of Agriculture and Food has worked with the Ontario Veterinary Association in the development of this new act. A ministry committee was appointed to deal with the matters pertaining to the development of this new legislation and to reach a consensus on the content of a draft act. In January of 1986 copies of the draft were distributed to all registered veterinarians in Ontario and to interested and affected individuals and organizations.

There were more than 125 written responses from organizations and individuals and numerous oral responses. Some of the organizations which met with the committee were: the Society of Ontario Veterinarians, the Ontario Institute of Agrologists, the Ontario branch of the Holstein Association of Canada, the Ontario Grain and Feed Dealers Association, the Ontario Pork Producers Marketing Board and the Ontario Society for the Prevention of Cruelty to Animals. The committee is now satisfied that the proposed act addresses the significant concerns put forth by the public and members of the veterinarian profession.

I am confident that the proposed act will serve to better protect the public interest and the rights of members in the practice of veterinary medicine in Ontario. I urge the members of the House to give this bill quick passage.

Mr Reville: I need to find out from the minister whether this will have any effect on my favourite program, All Creatures Great and Small?

The Deputy Speaker: Any other comment, great or small?

Mr Villeneuve: Our party fully agrees with Bill 39. We have checked with the Ontario Veterinary Association and the representatives of the Ministry of Agriculture and Food, and our party is in full agreement with the upgrading via Bill 39—

The Deputy Speaker: Is this question or comment on the minister's statement?

Mr Villeneuve: This is two-minute debate. We have really no debate. We are in agreement with the bill and we will be supporting it.

Hon Mr Ramsay: I would like to certainly comment to my friend across the way about the show All Creatures Great and Small and absolutely guarantee the member that this bill will have no effect on that fabulous program.

1530

The Deputy Speaker: Would any other member wish to participate in the debate?

Mr Wildman: On behalf of our caucus I want to say that we will be supporting Bill 39, An Act to revise the Veterinarians Act. The Ontario Veterinary Association has co-operated with the Ministry of Agriculture and Food in developing legislation over the past 10 years and it will indeed enshrine and enhance the principles of responsible self-regulation by the veterinary profession. It has been a long time in coming. The first draft was published in January 1986. The bill received first reading in June 1989, three

years later, and we have been waiting all these months now for the government to find the time to bring it before the House.

This bill is modelled on legislation covering other self-governing professions and it will ensure the protection of the rights of veterinarians in the event of actions taken by the governing body; in other words, there will be appeal procedures. We support the proposal that the Ontario Veterinary Association become the College of Veterinarians of Ontario with the responsibility for administering standards, accrediting veterinarians at veterinary clinics and handling public complaints and disciplining members.

Also, we note that decisions concerning registration and accreditation could be appealed to the health disciplines board and appeals regarding complaints could be heard by Divisional Court. Also, we support the view that at least three representatives on the council of the college would be lay representatives.

Essentially the bill will bring veterinarians into the same situation as other health care professionals in terms of how they govern their profession and determine that high standards are maintained. It is a piece of legislation that is certainly supported by the veterinarians in the province and by animal lovers and the agricultural community, I believe, as well. So we will be supporting the legislation.

Le Vice-Président : Merci. Questions et commentaires au sujet de la présentation du député?

M. Reville : Mais non.

Le Vice-Président : Mais non. Dans ce cas-là, who else would like to participate in the debate in that case?

Mr Villeneuve : I guess I was a little premature in my original comments. We too as a party and I personally will be supporting the updating, particularly the upgrading, of this bill. The council of the college is to make the regulations and will be subject to the approval of the assembly here and the minister may advise the council and the college on the implementation of the act and the regulations. I guess that basically is legislation which the Ontario Veterinary Association has been looking for over a number of years. I have correspondence from them which fully endorses the regulation as set out in Bill 39 and we fully intend to support it and co-operate with the government.

The Deputy Speaker : Questions and comments on the member's statement? If not, do

other members wish to participate in the debate? If not, Mr Minister, would you like to wind up?

Hon Mr Ramsay : I would just like to say to the House that I appreciate the support for Bill 39 from the member for Algoma and my colleague the member for Stormont, Dundas and Glengarry.

Motion agreed to.

Bill ordered for third reading.

BRUCELLOSIS REPEAL ACT, 1989

Mr Ramsay moved second reading of Bill 40, An Act to repeal the Brucellosis Act.

Hon Mr Ramsay : I rise to present today for second reading a bill to repeal the Brucellosis Act. Since this bovine disease has been controlled and eradicated, the legislation we presently have on the books has become redundant.

Brucellosis is a bacterial disease that was once prevalent in cattle herds and caused infertility at a cost of millions of dollars to livestock producers in this province. In 1956, the Brucellosis Act was passed to promote and control the administration of the vaccine to female calves. This legislation provided the initial steps to controlling brucellosis in cattle. At that time, the federal government provided the vaccine while the province provided for its distribution and controlled the administration, supplies and records.

From the onset of brucellosis vaccination, approximately 5.5 million calves have been vaccinated in Ontario. In 1985, Ontario's domestic cattle herds were declared brucellosis-free, and on 1 November 1985 all brucellosis control was assumed by Agriculture Canada. Therefore, the act became redundant. Under an agreement with Agriculture Canada, brucellosis has been placed on a list of reportable diseases under the Animal Disease and Protection Act. As well, Agriculture Canada continues to provide a national vaccination program to livestock owners.

I want to assure members of the House that this government, in co-operation with the federal government, is taking all reasonable precautions to ensure that Ontario and Canada remain brucellosis-free. The federal government is continuing to offer a calfhood vaccination program to domestic livestock owners and those producers who export female cattle to other countries, and through a variety of herd health programs, my ministry strives to protect and improve the health status of our livestock industry.

Mr Reville : Two weeks ago on All Creatures Great and Small, an outbreak of brucellosis

swept through the herd and every one of the Aberdeen Angus cows miscarried. The young chap who was trying to start a cattle farm had to sell the farm and go to work in a factory. I am delighted that we are brucellosis-free today.

Mr Villeneuve: I understand that we are brucellosis-free, however, we still have some isolated cases of brucellosis. Would the minister be aware, firstly, of what percentage of the animals had to be destroyed or how many animals had to be destroyed in Ontario last year because of brucellosis, and secondly, what is the maximum amount that brucellosis can be prevalent in a province and still be considered brucellosis-free. We are brucellosis-free or designated as such, but we still have brucellosis.

Hon Mr Ramsay: I am sorry my colleague the member for Riverdale (Mr Reville) is leaving. I appreciate that he watches TVOntario and that he is very aware of the disease brucellosis and how serious the disease can be when it is not under control.

To my friend the member for Stormont, Dundas and Glengarry (Mr Villeneuve), my understanding is that we are totally free in Ontario of brucellosis in cattle. There has been some report in the last couple of years in buffalo herds in Ontario and those herds were destroyed. Also, there is some brucellosis in Alberta in buffalo herds, but my knowledge is that there is no brucellosis in Ontario.

Mr Wildman: On behalf of our caucus, I would like to speak in favour of Bill 40, An Act to repeal the Brucellosis Act. As has been indicated, this is essentially a housekeeping bill. The provincial government has not paid veterinarians for brucellosis vaccine for some years and the federal government has established a program which is national in scope to deal with the brucellosis disease.

It has been stated that brucellosis among cattle has been eradicated in Ontario, and that is certainly welcome. I do want to point out though that this is not the first time this statement has been made. Before he left, the member for Niagara South (Mr Haggerty) reminded me that the Minister of Agriculture and Food, Mr Stewart, some time ago was encouraged to say that and subsequent, unfortunately, to that statement there was an outbreak of brucellosis in southern Ontario. I think that obviously in Ontario we have to be on our guard to ensure that there is not another outbreak of this serious disease among cattle because of the terrible effect that it can have for the beef industry and the dairy industry in this province.

1540

I have some comments and questions I would like to make at the committee stage, so I will leave it at that and, hopefully, we will deal with this briefly in committee of the whole.

The Deputy Speaker: Any questions and comments on the member's statement? Sinon, le député de Stormont, Dundas et Glengarry.

M. Villeneuve: Merci bien. Just a short comment in support of Bill 40. I will be looking into the facts and figures with Agriculture Canada and in particular with the health of animals directorate of Agriculture Canada. I personally think that we do have some reactors to brucellosis yet, and they show up whenever we are exporting to the United States. Many of our farmers are still vaccinating, at their own cost, against brucellosis, and I, at the committee stage, will certainly be looking deeper into exactly the amount and the numbers that have been prevalent here in Ontario. I know once you get below a certain percentage of reactors, you wind up with a designation as brucellosis free, and it is very fortunate that over the blood testing over the last number of years we have been able to eradicate or bring brucellosis under control to a minimum that we now qualify as a brucellosis free province.

We have another disease very similar to brucellosis, known as leptospirosis. I know we have some problems in wild animals with that one, and it is at times to some degree difficult to tell the difference. It basically creates the same problems in animals. But certainly the beef and dairy industry are very important to this province, and I certainly hope that by going through and recognizing that we are brucellosis free, we will always continue to keep our guard up against a very devastating bovine disease.

Le Vice-Président: Questions et commentaires au sujet de la présentation du député?

Mr McLean: I just want to comment briefly on the statement made by the member for Stormont, Dundas and Glengarry who I see is very well aware of the situation with regards to brucellosis. I just wanted to say that when it is in committee I know that there are reactors, I know that when you export cattle that there are many that are left behind because of the high count that they have. I just wanted the minister to be aware that he should have some of these statistics when it get into committee, whereby the export marketers of cattle will be familiar with what is taking place in Ontario today.

The Deputy Speaker: Any other questions and comments on the member's statement? If not, would the member wish to respond?

Mr Villeneuve: I thank my colleague from Simcoe East. There is also a rather intriguing situation where there are times when an animal will not be known as a reactor but will, at times, be known as questionable or doubtful; and we are not getting a positive reaction but it is not a negative reaction. I do not know where these animals fit into the statistics. I know if they happened to wind up as questionable after the second blood test, normally the health of animals directorate recommends that they go for beef and certainly the beef has no problem with it., particularly if it is a matter of keeping our designation as brucellosis free. So some of my questions in committee will be oriented around not only the positive reactors but those animals that have tested as questionable or doubtful, and I would like to know the numbers over the last period of time.

The Deputy Speaker: Do other members wish to participate in the debate? Le député de Riverdale.

Mr Reville: I am concerned lest people misinterpret my rather light-hearted intervention. I had an opportunity in 1967 to work on a dairy farm north of Kingston where we were milking about 100 Holstein. We did in fact in those days vaccinate for brucellosis. It was a concern that any prudent dairy farmer would have because, of course, we were trying to generate our own stock as well. We had a bull. We also had a gentleman with a very lugubrious face who would attend at various times and artificially inseminate the cows.

Being a city boy, I was not always clear as to which cow should be inseminated and I think we inseminated a lot of the wrong cows because I could not quite understand the nature of this bulling thing that seems to go on out there in the field.

Knowing how hard dairy farmers and beef cattle farmers work and how much time they must spend at that, clearly brucellosis is no laughing matter and I just wanted to put that on the record lest anybody misinterpret my light-hearted earlier approach.

Mr Villeneuve: In reply to my colleague the member for Riverdale, I certainly have a great deal of respect for the agricultural critic of the New Democratic Party. He originally came from eastern Ontario, a great part of Ontario. He now represents a northern Ontario riding but he has limited past experience. I would suggest that the NDP, now that we know we have a resident connoisseur, could possibly consider changing

the role of critic from the member for Algoma to the member for Riverdale.

Mr Reville: Thank you very much for that vote of confidence and should my colleague the member for Algoma ever flag in his duties, which I do not expect, I would be happy to do whatever humble part I could.

Hon Mr Ramsay: Since it is the desire of the members to enter into committee of the whole, I could reserve that time for responding to inquiries the members may have.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

BRUCELLOSIS REPEAL ACT, 1989

Consideration of Bill 40, An Act to repeal the Brucellosis Act.

Hon Mr Ramsay: I request permission of the House to bring in some assistants from the ministry in order to facilitate good responses to some of the technical questions that members may want to ask.

Agreed to.

The First Deputy Chair: Does the minister have any opening comments?

Hon Mr Ramsay: No, I am quite happy to attempt to respond to questions my critics may have.

Mr Wildman: Just very briefly, perhaps the minister and the officials from the Ministry of Agriculture and Food could provide the committee with the statistics of reactors, numbers of reactors and where exactly we are with brucellosis in this province. As I said, "eradicated" can mean a number of things. We are brucellosis-free in Ontario, and we welcome that, but we would like to know what information the ministry has on this. Also, can the ministry indicate and assure us that all payments under the agreements of veterinarians under the old act have, in fact, been completed?

1550

Finally, some time ago OMAF told Ontario farm organizations that there would be a new program to deal with cattle or animal diseases that would be established in this province, and as far as I know, nothing has been heard of that since, so I would like to know what is happening in that regard.

Hon Mr Ramsay: The first thing, I think, that needs to be said is that Ontario has been officially declared brucellosis-free since 1985. We no

longer appoint veterinarians to provide vaccine, ear tags or certificates as authorized under the act, because the federal government really takes that in charge now. All payments have been made under the act to veterinarians for services rendered before 1985 and any that was needed since then.

I am endeavouring to get the statistics for the member on reactors and some of that detailed information, and as soon as I have that I will be quite happy to report back to the House.

Mr Wildman: Again, I would just like to know what happened with the promise that there would be a new program on animal diseases.

Hon Mr Ramsay: I am not aware of this program that the member refers to.

The First Deputy Chair: Any other comments?

Mr Villeneuve: Would the minister or his officials know how many reactors, positive or questionable, we had in the last year to brucellosis? Would the minister have an idea of that?

Hon Mr Ramsay: I have to ask the member to repeat the question. I was unable to hear it. I am sorry.

Mr Villeneuve: I simply want to know, and I know we still have reactors both positive and questionable to brucellosis, would the minister know how many reactors we had in the province of Ontario last year?

Hon Mr Ramsay: I do not have that number. If we have any suspicious animals after testing, we retest, and we do not believe we have any reactors in Ontario.

Mr Villeneuve: What percentage or what level of minimum reactors do we have to have prior to qualifying for a brucellosis-free designation?

Hon Mr Ramsay: I do not have that information. I would be quite happy to get that for the member.

Mr Villeneuve: Finally, I know that we still have some herds that go through the annual blood test to make sure that they keep their free listing status. Do we still perform the milk ring test to establish whether at the consumer level—do we still have some reactors at that level? Are we still continuing that?

Hon Mr Ramsay: We are continuing testing. We test in many ways. The milk testing that the member refers to continues to this day. Also, we are continually testing blood samples that we obtain through veterinarians and abattoirs around the province, so we are constantly testing and are

quite assured that this province is brucellosis-free.

Mr McLean: I have a question. Since we are brucellosis free now, could the minister tell us what a farmer has to do to have an accredited herd or a herd where he can export cattle? What procedure does he go through to do that?

Hon Mr Ramsay: The Department of Agriculture will test the herd and then issue a certificate in due course, once the test has been successfully passed.

Mr McLean: If they are not acceptable and they do not pass the test, what number would there be that the minister would be aware of—and I guess he is getting the information to find out how many there are that do not pass the test—that cannot export cattle. I am in the dairy business, so I know about exporting a little bit. How many last year would there be that were tested and were unacceptable to export?

Hon Mr Ramsay: I would like to reiterate that what I said in my statement is that since 1984 the entire province of Ontario has been declared brucellosis free. We are not picking up any positive tests since then.

The First Deputy Chair: Are there further comments or questions? Are we ready to proceed through the bill?

Sections 1 to 5, inclusive, agreed to.

Bill ordered to be reported.

On motion by Mr Ramsay, the committee of the whole reported one bill without amendment.

Hon Mr Ward: I seek unanimous consent so that we can proceed with third reading of Bill 147.

The Deputy Speaker: Is there unanimous agreement?

Agreed to.

INDEPENDENT HEALTH FACILITIES ACT, 1989

Hon Mrs Caplan moved third reading of Bill 147, An Act respecting Independent Health Facilities.

The Deputy Speaker: Would the minister have an opening statement?

Hon Mrs Caplan: I have agreed that the critics opposite can speak first and that I will wrap up.

The Deputy Speaker: The member for Riverdale.

[Applause]

Mr Reville: One hand clapping always sounds a bit forlorn, does it not? That is from a different cultural tradition.

Seeing that I am the first speaker, maybe I could just briefly recite the legislative history of Bill 147. The bill was introduced in June 1988. The second reading debate proceeded somewhat intermittently in the fall, winter and spring of 1988-89. The public hearings were in August 1989, during the whole month of August, and the bill was reported back. It was sent back out for further public hearings which took place during four days at the end of October and the early part of November and returned to committee of the whole on 16 November, where further amendments were debated. Those amendments have now been decided on in a number of divisions this very day and we are now in the third reading debate.

Bill 147, An Act respecting Independent Health Facilities, is a bill that nobody likes very much. It is true that Bill 147 did receive support from some quarters, but that support was lukewarm. The more common response to Bill 147 has been vigorous opposition. It is hard to imagine a public policy approach that is so awkward that it could attract the opposition of both the Ontario Medical Association and the Ontario Federation of Labour, but that was what Bill 147 managed to achieve.

I would like to stop at this point and note that in the gallery today are a number of officials from the Ministry of Health. In fact, I would like to take this opportunity to thank them for the hard work that they did during this 18-month period, through hearings that were not always as jocular as I like to be. There were a number of matters that were very contentious, and I would like to thank them for the alacrity with which they provided information and for hanging in to the bitter end, as it were.

To the extent that Bill 147 creates a procedure for quality assurance in health care facilities outside hospitals, the bill is eminently supportable. Quality assurance is indeed the wave of the future, and we here in Ontario should be riding that wave. I hope that this modest foray into the quality assured health care world will be successful. I hope that it will be so successful that the lessons learned from this can be applied across the entire health care field.

1600

To the extent that Bill 147 creates a process by which health care planning may more accurately reflect health care needs, the bill is eminently supportable. What should be clear to anyone who

has been paying even modest attention to our health care system is that it has grown somewhat like a weed, wherever it might take root, like the weed, without the benefit of very much in the way of planning or outcome evaluation. Perhaps that would always be the nature of a system that is both heavily political and heavily entrepreneurial.

Bill 147, when it was first introduced, was a relatively modest effort. I am not speaking about the government's rhetoric, of course, which was, as usual, resounding and bombastic. I am talking about the actual impact that the bill was intended to have. It was designed to pick up about 20 existing health facilities of various kinds, mostly involving minor surgical procedures that could be done outside of hospital, and was projected to add, either through ministerial request or district health council needs assessment, about five new facilities in its first year; all in all, 25 independent health facilities and about \$25 million.

That, in health finance, is modest. This is hard to believe, that \$25 million is modest, but it is indeed modest. When one considers that one per cent of the health care expenditure in Ontario is around \$140 million, \$25 million is modest. It makes one think of the big trouble C. D. Howe got into when he said, "What's a million?" in another place. He would, by today's terms, be considered a piker.

When my amendment to section 7 was accepted, at first unanimously and later by the government only, the bill cast its net much more widely. According to ministry figures, the net will now catch about \$200 million in health care expenditure on an annualized basis, and that is by virtue of the way the schedule of benefits is designed. Technical fees, also known as T fees, will become facility fees under this legislation, and those charging them will be grandfathered and will be entitled to apply for licensing. So Bill 147 grew very quickly. It started at 25 and now is maybe 1,800, that sort of number of operations.

I will make one brief comment on subsection 7(7) because it has been commented on at length on other occasions. It continues to be my strong belief that an attempt to develop a quality assurance approach to diagnostic services is very much in the public interest. I am aware of the anxieties that this change has caused for diagnostic imagers throughout the province, and those include not only radiologists but radiological technicians, respirologists, people expert in nuclear medicine, ultrasonographers and allied health care professionals.

I have asked for and received assurances from the minister that all the key stakeholders will indeed be heavily involved in the implementation of the legislation in respect of subsection 7(7). I hope that all those stakeholders will come to see the new approach as an opportunity to work at the leading edge of quality assurance in this country.

That said, I remain profoundly disappointed in the bill as a whole. The government has promised more than the bill can deliver. It was initially touted as a weapon in the free trade war, and this bill is a very wet noodle in that connection. Yes, it does express a preference for Canadian operators, but there is no monetary advantage that will be accorded Canadians. A preference for Canadian management appeared briefly in the bill, and just as quickly disappeared again. That said to me that I was right when I suggested the government was only kidding.

I think that goes, too, for the government's interest, at least its expressed interest, in encouraging the nonprofit health care sector. Again, there is a modest, and for me meaningless, preference. It is clear to me and to other commentators that the real intention of the government is to reinforce and encourage the privatization of health care service delivery.

The Ontario Medical Association was worried about bargain basement medicine. The Ontario Public Services Employees Union was worried about low-ball medicine. I think those worries are real. The nursing home sector, for example, is 92 per cent or 93 per cent privately owned; that, in spite of a stated government preference for nonprofit ownership of nursing homes. We hear frequently from consumers that they are not satisfied with nursing home services. The Ontario Hospital Association thought the bill would produce high-volume, high-tech health care boutiques. I think so too. Who needs them?

If you read the bill, amendments and all, you cannot escape feeling certain that the bill has almost nothing to do with community health. Yes, independent health facilities will be located outside hospitals, but community health is a lot more than geographical in its concept. Community health requires community relevance and community accountability. If the government had been really interested in community health, and had the minister meant it when she said she wanted to expand community health services and opportunities, why did the government and the minister resist putting into the bill structures and a philosophy that would have enhanced the development of community health opportunities? I have to reject out of hand the claim that the

involvement of district health councils will ensure relevance and accountability.

Let's look at how district health councils are chosen. Let's look at the resources they have available. Let's look at the record of district health councils when it comes to outreach and consultation. Let's look at what the people do who serve on district health councils. It is my view that ordering council appointments that result in appointing people of the highest socioeconomic groupings will not do the kind of community outreach and accountability job that we need to get done. I do not blame the people for not being able to do it, any more than you can blame somebody for being representative of one group and not of another, but clearly, district health councils do not now represent a cross-section of any community that I can imagine.

I fear that, so far from encouraging the development of grass-roots, community-specific responses to health needs, the bill may actually discourage them.

The Choice in Health Clinic is the prime example. It was established as a community response to the failure of government to provide access to abortion services for the women of this province, close to home or otherwise. The Choice in Health Clinic provides abortion services to 2,000 women annually, yet the grandfathering clause in Bill 147 excludes the Choice in Health Clinic.

Likewise, the Toronto Birth Centre is a community response to the interest that more and more parents have in having their children born in a more friendly, less medical environment. For 10 years, the government of Ontario has sandbagged the Toronto Birth Centre, first for philosophical reasons and later for bureaucratic ones. The grandfather clause also excludes the Toronto Birth Centre Inc. Maybe there will be a proposal call for birthing centres and maybe there will not. Maybe the Toronto Birth Centre Inc will be successful in responding to a proposal call and maybe it will not.

1610

The effect, however, is that government has managed to frustrate the community will, both in deed and in legislation, over these years. I tried in three different ways to ensure that the Toronto Birth Centre Inc and the Choice in Health Clinic would not be victims of Bill 147, and, of course, the government rejected all three approaches. That says to me that community innovation and community responsibility is not worth much to this government.

We New Democrats will be voting against Bill 147. Clearly, we will be watching with interest the government's performance as Bill 147 is implemented, and we are looking forward to the first annual report that will be required by the legislation. In the meantime, we shall continue to press for real community alternatives, real health promotion and real disease prevention in this province.

Mr Eves: I wish to get a few comments on the record with respect to third reading of Bill 147. I will not be lengthy this afternoon because I have been lengthy on other occasions and I have had ample opportunity, as have other members, to have some input in second reading debate—the committee stage of this bill took many weeks and, of course, we have had committee of the whole House as well—before third reading debate today.

But I do want to put on the record some concerns that I have and my party has with respect to Bill 147. I also would like to put on the record—and I do not normally do this, but I think in this instance, this particular association has not had an opportunity perhaps to be heard that it should have had overall—I am speaking of the Ontario Association of Radiologists.

Before I start my final remarks, I would like to read at least in part, and if the Speaker permits, in whole, a letter of this very date, 22 November 1989, addressed to the Minister of Health (Mrs Caplan) and signed by the vice-president of the Ontario Association of Radiologists, Dr Tim Richardson:

“Dear Madam Minister:

“I was interested to listen to the proceedings of the committee of the whole concerning Bill 147 last Thursday.” That would have been 16 November. “As I was present personally at the Legislature I was able to listen to the discussions between you and the Health critics of the opposition parties.

“I was dismayed to hear you make two statements in particular after all the additional information you received when amendment 7 went back to the committee of social development. In particular, once again you stated, ‘What we have heard is that there is some voluntary peer review program.’ As I stated in our brief from the Ontario Association of Radiology and as was stated by many other radiologists as well as the College of Physicians and Surgeons of Ontario, the peer review program is not voluntary but indeed is mandatory. As we stated and as the College of Physicians and Surgeons admitted, we believe that this mandatory peer review

program, along with the HARP Act, are pieces of legislation which could be expanded upon without Bill 147 to assure quality control.

“Several minutes later you stated, ‘They (CPSO) pointed out to me that specifically they were concerned about the fact that cardiac catheterizations, a procedure normally done in hospitals with the kind of quality assurance programs that are provided in hospitals, are taking place in community-based facilities. They were concerned about that.’ This is a false statement. All cardiac catheterizations in Ontario are done in hospitals and none are in out-of-hospital community-based facilities.

“I trust this letter will serve to correct the inaccuracies of your statement last Thursday.

“Yours truly, Tim Richardson.”

I just wanted to get that on the record because I really think that the radiologists are one group that has been somewhat unfairly dealt with, in my opinion, with respect to Bill 147. Initially they were told, not only verbally but in writing no less, by officials from the Ministry of Health that they need not appear at Bill 147 hearings because, rest assured, the government had absolutely no intention of ever including them in Bill 147.

Then, lo and behold, the government accepted the amendment of the member for Riverdale (Mr Reville) with respect to subsection 7(7) and the radiologists were included. Then we went through the very unusual step of sending the bill out to committee so the people who were told that this bill would never affect them had the opportunity to defend themselves, because now they were included.

I would like to believe that when we went back to committee, this was a proceeding that everybody was listening to with an open mind and would actually maybe consider not accepting the member for Riverdale's amendment. But having sat through the committee proceedings at all stages, I cannot help but believe that the government's attitude all along was, “We'll go through the window-dressing of allowing the radiologists to come in, but don't confuse us with the facts because our minds are already made up and we're going to shove this sucker down their throats whether they like it or whether they don't.” That is exactly what happened.

During those proceedings, when the radiologists had four days to attend, 30 and 31 October, 6 and 7 November, during those four days on at least one occasion that I am certain of the executive director of the health insurance division, Dr MacMillan, admitted, when I asked him

the question very directly whether this type of quality control for radiology clinics had to be included in Bill 147 or whether it was possible to do it outside of the parameters of Bill 147 along the lines of the eight-point plan suggested by the radiology association, he said, in his opinion, it could be done either way, inside or outside Bill 147.

I agree with him. I think that is a very honest and direct statement. For the life of me, I do not know why we have to proceed this way. Proceeding without a substantial part of the medical profession's co-operation I think is only inviting trouble in terms of morale in our health care system in the province.

Having got those comments out of the way, I would like to deal in a much more general sense with Bill 147 and explain how I think it started out and where it ended up today. How it started out is this bill right here. This was a bill of 30 pages in length, with 36 sections. If you listen to the officials from the Ministry of Health, and I have no reason to doubt what they say, they spent a great deal of time, months, even years, preparing this piece of legislation.

Supposedly, at least I would like to hope, if they spent that much time preparing such a significant piece of legislation, they would have got some public input and they would have got especially some input on the health field from all kinds of health care professionals and providers before even drafting the first draft of the bill.

Initially, the bill was heralded as a bill that was going to provide an expansion of community-based health facilities throughout the province. I do not think that we have been through this before, I do not think there is any member of this Legislature who is not in favour of that basic principle and concept. That was fine. That is how we started out.

When this bill was introduced and we debated it on second reading, some of us on this side of the House found some rather draconian measures in the bill, things like inspection procedures and measures, things like no right to appeal from certain decisions, things like no written reasons for certain decisions. We found these fairly offensive.

After second reading debate, the ministry officials did go back and redraft the bill and they did solve or alleviate some of the concerns that were raised by members on this side of the House. What we found was a reprinted bill with some 22 amendments by the government between second reading debate and the bill

appearing in the standing committee on social development of the Legislature.

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Some of these problems, though, have still not been addressed, and I and my colleague the member for Riverdale were forced to introduce amendments at the committee stage and again at the committee of the whole House stage with respect to rights of appeal. There are some decisions, such as decisions made by the Minister of Health, which are not appealable, or if appealable, appealable only to the Lieutenant Governor in Council, not to an independent board and not to the Divisional Court, as pertains to other sections of the bill. We felt very strongly that these appeal rights and procedures should be consistent throughout the piece of legislation.

We also felt that seeing as how the ministry by its own admission only planned on expanding by five or six independent health facilities a year in the province, surely when they asked for proposals and applicants submitted applications, they should be entitled to written reasons why they were denied; if they were not successful applicants, why their applications were not accepted. The reason given by ministry officials was primarily that this would place an undue burden on the Ministry of Health. When we are only talking about perhaps accepting five or six in a year, even assuming of course that there would be many more than one applicant for each proposal, I do not think that is an undue burden on the Ministry of Health.

I also think there is a basic concept of fairness here that we have to deal with. If people are going to make submissions on proposals requested by the government, the very least they have the right to expect are written reasons why their applications have been denied. They should have those automatically, without having to request them, and they should have them before they have to launch an appeal process of any sort whatsoever, so they have a basis to know what their appeal is about.

I also raised concerns, and made amendments which were defeated by the government members, about such appeals being appealable not only on questions of law, but on questions of fact or fact and law combined. Those also were not accepted by the government members at the committee stage.

I have a real problem with the legislation now because the initial reasons given for Bill 147 and the reasons being given recently for different aspects of the bill, in my mind, are totally different. The bill now seems to me to be more

interested in cost containment in the health care system than in expansion of community-based health facilities.

It also seems to me that the ministry is now trying to justify the amendment that includes radiologists, subsection 7(7), through quality assurance. Now quality assurance becomes the main theme of the bill. I thought the main theme of the bill was community-based health facilities. If we look through the minister's remarks on second reading, I think any objective observer will say that the gist of her remarks was that this was an expansion of community-based health facilities. Quality assurance was certainly not the main theme when the bill was introduced. It became the main theme after the subsection 7(7) amendment passed. So I think there is a big divergence of opinion here and change of opinion or change of intent, the original intent of the bill and what the intent is today.

Again, by the ministry's own admission, originally the number of health facilities to be grandfathered by Bill 147 was somewhere around 20, as my colleague the member for Riverdale has stated. Now, by including radiologists, radiology clinics and all kinds of clinics that were caught, if you want to put it that way, through subsection 7(7), there are at least another 1,800 that are included. I think 1,800 is a long way from 20 and we should think about that.

This piece of legislation was never drafted to do the types of things that, through a lot of amendments and machinations—the ministry may as well have started all over again. They would have been a lot better off, I think. The ministry amended the bill 22 times before it went to committee. They amended the bill another 16 times in committee, not counting some amendments that the member for Riverdale made, which were accepted, and some amendments I made, which were accepted. Then when the bill came back to committee of the whole House, the government amended another 13 times.

Here is a bill that started out with 36 sections, took two years to prepare, and now it has been amended 22 times, 16 times, 13 times, not counting opposition amendments. I do not think it was very well thought out initially. I do not know what went on for the two years before the first draft came up; obviously not a whole heck of a lot in terms of what is called consultation. They were supposed to do that in the two years they were drafting the bill. I do not know why they would have to amend a bill that had 36 sections to start with over 50 times unless it was a pretty

crummy piece of legislation to start with and they did not understand what they were trying to do.

The fact of the matter is, in my opinion, the reason the bill was amended so many times is that the government is now trying to make this piece of legislation do something that it was never intended to do and never the government's intention to do in the first place. But they found a way of cost-containing radiology clinics so they jumped on that bandwagon: "This is a great idea. We will bring those in, we will control those health care costs and we will explain it away by quality assurance. That will be our new theme." They can do that and obviously they are going to do it this afternoon. They are going to pass this piece of legislation.

I just caution the minister, as I have before, that I really think in our health care system we need co-operation among all health care professions and health care providers. I think we have to work together in a consultative approach. We have to agree before we move if at all possible. I think the approach that is being taken here, at least with respect to radiologists, is a very confrontational approach. They did not agree.

They agree and they admit that there are some concerns by some clinics, and they came forward with an eight-point plan to resolve some of those. I do not think that the minister should try to shove this legislation down their throats. I think she should work co-operatively with them. I do not know what her definition of co-operation and consultation is, but it is not, "I will listen to see what you have to say and if I do not agree with you, I will pass whatever I want to pass anyway." That is not a co-operative, consultative approach to government; that is a confrontational approach to government.

Let's deal with the issue of quality assurance for a moment. I do not think there is any member of this Legislature who is against quality assurance. It may very well be that there needs to be more quality assurance in all aspects of health care in our system today. Nobody disagrees with that, I do not think.

They may disagree as to how that should be achieved, what mechanisms we can use, etc, but I think that if the real concern is now quality assurance, that can be done either by some sort of plan such as the radiologists submitted—and I know that the minister is going to appoint a committee to look into these concerns, but she is going to appoint it after she passes the legislation that they do not want. I think that is starting on not very solid footing for a co-operative, consultative approach in the future.

If this government wanted to do it by legislation, I think a far more commonsense approach may have been the Health Disciplines Act, may have been a new act altogether. The minister has indicated that she intends to proceed with some new legislation next spring, and we look forward to working that piece of legislation through with her. But I really think that is the way she should have proceeded. I do not think she should have proceeded by trying to include these people in a piece of legislation that was never intended to include them, by the ministry's own admission in writing, in the first place.

I also think that the minister has left her government open for potential lawsuits with respect to a very discriminatory, or what could be interpreted as a very discriminatory, piece of legislation. She is going to bring some physicians under this piece of legislation, some clinics, but not all. There are going to be two sets of rules here for quality assurance. If you happen to have a radiology clinic, you have a stricter set of rules than if you do not have a radiology clinic. I think the minister is opening up a real can of worms or Pandora's box with respect to potential problems, and she is alienating the medical community while she is doing so.

I think some amendments that were accepted were necessary and I applaud the ministry for accepting them. One that I made and got some support from ministry officials on and assistance in drafting, to say the least, was with respect to transferability of licences. I think that that is very important if we are going to have a continuity of community-based facilities in the province. There were other amendments made both by the ministry and by my colleague the member for Riverdale that I was happy to support because I thought that they improved the piece of legislation.

I can tell you, Madam Minister, that we in our party would not have any problem supporting this legislation if you had not tried to make it into something it was never intended to be.

1630

The Deputy Speaker: May I remind the member for Parry Sound that the standing orders say you address all your remarks directly through the speaker using the third person singular.

Mr Eves: I shall try to do that, Mr Speaker.

Mr Kerrio: Explain what you mean by being brief.

Mr Eves: Explain what I meant by being brief? What I meant by being brief was that on second reading of this bill my definition of brief

was many hours long, so today we are talking here in minutes instead of hours. I am almost near the end of my remarks, as a matter of fact.

I also would like to take this opportunity to thank the Ministry of Health officials who are in the gallery today, because indeed they have been most helpful and this has been a long and arduous process, regardless of which side of the piece of legislation you are on or which different aspects of it you are on.

I think these types of disagreements with respect to legislation are what the democratic process in Canada is all about. I do want to make the point here this afternoon that we think there are some very big problems with the legislation in the way it is in its current form and we do not think those problems had to be addressed by legislation. We think it could have been done and perhaps best would have been done by a more consultative, co-operative approach to the legislation.

The Deputy Speaker: Are there any questions and comments on the member's statement?

Mr Daigeler: I must say I have great difficulty with the consistency of the member from the third party. On the one hand, he says he is all upset if the government listens to the public, listens to the committee and brings in amendments. He is upset that the bill was not perfect from the beginning. Then, if the government does not refer it to committee, he says the government is arrogant and does not want to listen to the public.

I would like to ask the member from the third party, which way is it he wants us to go? Does he want us to go the way the Minister of Health has shown in this case? She has referred it to the committee, has listened to the public, and I would like to indicate has listened even to both opposition parties. Rather than criticize the minister for having been open to the amendment process at committee stage, which is designed for that purpose, I think he should congratulate the minister for her willingness to integrate amendments that were brought to the committee.

Mr Eves: Very briefly, I say to the member that I do not think a bill that is 36 sections long and has to be amended 51 times is a very competent approach to government. Some of those amendments were needed, maybe half a dozen, but 51? That is more than one per section. That is almost one and a half for every section in the bill. Did they get any section right that they did not have to amend?

The problem I have with the legislation, and I will repeat it again, is that we are now trying to

make a piece of legislation that originally, in my opinion, was designed for an expansion of community-based health facilities in the province of Ontario so more Ontarians could get health care closer to home—that was the stated intent. That is what we all agreed upon in principle. What we have here today is a piece of legislation that is more interested in cost containment than it is in community-based health facilities.

It is more interested in justifying that cost containment by a speech on quality assurance that we did not even hear about when the bill was first introduced except perhaps as a passing comment. It certainly was not the main and underlying principle behind the legislation. We all agree that there needs to be quality assurance. We just do not agree it has to be done in this particular fashion by this particular piece of legislation at this particular time.

The Deputy Speaker: Do other members wish to participate in the debate?

Mrs Cunningham: I suppose my comments on Bill 147, as a participant in the hearings of the committee, would be my tremendous disappointment as to what the bill was intended to do, which I supported, and how it really ended up. I think this is the perfect example of a government that is really trying to accomplish too much in a bill that was meant to improve in a very small way, but in a very significant way, the accessibility of surgical procedures to the public, to patients and ill individuals in our community.

Sometimes in life when you take on that kind of task with a very direct intent and try to do so many other things, what you do is fail. I think this bill fails to meet its basic intent, and that was the expansion of community-based services.

I enjoyed very much the presentation on behalf of the administration during the first couple of days of hearings as it tried to explain the intent of the legislation. I became somewhat annoyed and angry as the proceedings found their way to conclusion over the period of time, because I think we were given many opportunities to take another look at a piece of legislation.

Because of the input of the members of the public and professions who appeared over the period of time, I think we had a wonderful opportunity to make some changes, to go back to the drawing board and to make this intent of the expansion of community-based services work for very small services in this intent, the surgical procedures. I think it was a great opportunity we missed.

Because of the way the legislation is written and the powers of the minister, and I am quoting from one of the documents we read, "The private sector will not likely want to get involved in establishing independent health facilities." This point was made on a number of occasions and is of great disappointment in this free enterprise society we all live in, where we depend on each other and each other's expertise and commitment.

We should of course be encouraging the expansion of community-based health facilities. We rely very much on the public and on the medical profession to support us in this intent. What we heard is that this bill will not encourage the further development of these facilities for a number of reasons, many of which are technical and have been addressed already by my colleague the member for Parry Sound (Mr Eves), not only in committee but in this House on a number of occasions. I will not address this today, except to say that the very people we are depending on to get involved, the physicians and the health care workers, have told us that in its present form they could not.

I think the public has been somewhat confused by the intent of this legislation, given the response by the people we depend on to make it work. That is, of course, the physicians. The other confusion, and a concern on behalf of the public, is the idea that with this legislation and with the way one would have to compete to be able to get approval from the government to open an independent health facility, we may not be looking at the kind of quality services or quality procedures we have enjoyed in the past.

I am very realistic in knowing that this bill will be passed. I underline my great concern that as independent health facilities are looked at by the government, we will not be looking at bargain basement health care, which was put to us by a concern by the Ontario Medical Association and others, and that we will not be looking at cost cutting on some surgical procedures by those competing to get licences, which could endanger people's health.

Physicians and medical people across this province, this country and this world have worked hard to come up with the kind of technology we are able to enjoy in Ontario, not to its fullest because of the tremendous cost and because of the lack of availability across our province, but what we do not want to happen with this legislation is to see the kind of cost cutting and bidding that would allow a facility to

open that would be of lesser quality than what we are able to operate right now.

Assurance of quality, I suppose, would be something we are all very concerned about. We would hope that even now, without this particular bill, that there would be opportunities to further ensure quality through peer review and quality assessment.

1640

I had the distinct opportunity to listen to the presentations before the committee and to learn from the OMA what it thought about peer review and quality assurance and how it offered recommendations for improvement even without this piece of legislation.

I think that is another disappointment for myself. We have been accused in this province of overgoverning and overlegislating and making ourselves less competitive. I look at this piece of legislation as fitting into that particular category, especially as it relates to the issue of assessments and quality.

I am reading from the OMA brief:

"Ministry of Health officials have suggested that Bill 147 is necessary because it would allow the government to order an assessment of a health facility. However, subsection 3(1a) of the Health Disciplines Act says it is the duty of the minister to 'inquire into or direct the appropriate council or councils to inquire into the state of the practice of one or more health disciplines in any locality or institution.'"

The OMA said that it believed this did apply to individual practices and I surely hope that is so. They went on to advise us that this same Health Disciplines Act "provides the mechanism for quality assurance programs," and they refer to subsection 46(2f) where it is stated that "the college can introduce 'such other objects relating to human health care as the council considers desirable.'"

We were assured in the very early stages of the presentations to our committee that this issue of assessment and quality could be addressed with existing legislation. I would think this ought to be one of the goals of the government of Ontario, not to duplicate unnecessary legislation and unnecessary bureaucracy, which is only costly to the public and, by the way, does not add to the front-line health services the public has come to expect and should expect and that we should be able to provide.

We know we have a tremendous challenge in Ontario to meet the needs of our neighbours, our friends and our family members in the provision

of health care and to put it into bureaucracy that is unnecessary is irresponsible.

I further pursued that question with the College of Physicians and Surgeons of Ontario as it came before us, I think just a week ago, to further help us out with the issue of peer review and quality assessment. They provided us with a comparison. They told us what happened at this point in time in Ontario and they also advised us how they could improve upon it.

When asked the very direct question, could these criteria be met in the areas of peer review and quality assessment under the present legislation? they very clearly answered yes. I do not really think they wanted to respond in a positive way. For some reason, I had that feeling, but I have to compliment them. This is the College of Physicians and Surgeons of Ontario's representatives. They did answer in a positive way when I asked them if we could work within the existing legislation around the issue of quality assurance to the citizens of Ontario when it comes to delivery of health care in general and health care in independent health facilities. There is no need to address it in this piece of legislation.

We take a look at the next part, the planned development of facilities. This government has told us that it has a particular emphasis and priority for expansion of health facilities into the community—community-based health care, it is referred to. Most of us are aware of the role of the district health councils. I would suggest that without this legislation at all this particular challenge could have been written into their terms of reference, and that is to assist the government with the location of independent health facilities based on need, based on geography and based on the very real necessity of what we can afford and how best we can deliver the service.

If I take a look at the third rationale explained to us in the preamble by the minister as we looked at Bill 147 for the first time, that was the third part, which was the planned development of facilities. I would tell members that we could have done that without this bill.

I think the last part of the rationale, the fourth part that was addressed by the government, again one that I support, was the concern over charges to patients. If we go back to the beginning, looking at new legislation, and address each part to see if we are responding responsibly on behalf of the public, I would have to say that the expansion of community-based services has not been met under this piece of legislation.

In fact, we have been told they cannot expand and will not expand readily, by the OMA, by many other physicians who came before the committee and by private citizens who also shared their concerns over procedures that are available to them now that will be closed down given this piece of legislation.

Ensuring quality was the second point. I have spoken to it. We can do it already. We know that. We have been told the Health Disciplines Act will serve us well.

Planned development of facilities: What are the district health councils out there for now except to help us plan.

Charges to patients: This is the one that I think has detracted from the real essence of the bill because this one is the amendment in section 7 of the legislation. It is one that has caused great concern to the radiology community in Ontario, but should in my opinion cause even greater concern to the government of this province. I will tell members why. If we are ever going to improve things in the delivery of medical care in this province, we have to work with the providers of the service. We have to work with the physicians and the health care providers.

Mr D. S. Cooke: How did you vote the first time?

Mr Pouliot: How did you vote?

Mrs Cunningham: On the question, and I am glad someone asked it, on how I voted, I have to admit that I got caught down at the door with the buzzer—I am not particularly used to the new House rules—still chatting away with one of my colleagues. I will say right now that my intent of course was to vote against the amendment to section 7.

Mr D. S. Cooke: We wondered how you voted the first time.

Mrs Cunningham: As to the way I voted the first time, I did vote in favour of it.

I would like to talk a little bit about process here. I think this a good example of, when you get good information you ought to be open-minded and change your position. I think that is what we are elected to do. The information I got that day was not sufficient for me to have voted at all. In fact, that is the real concern right now. People would say that is a flip-flop. It is not a flip-flop. The real concern about this legislation is that this amendment was made after the government said it would not even be looking at that as part of this legislation. Radiology clinics were never meant to be subjected to Bill 147 in the way they have been.

Mr D. S. Cooke: But you did vote for it.

Mrs Cunningham: I did vote for it. I do not know why the member keeps asking me to take up the time of this House to explain why I voted for it. I voted for it because I thought the information I had was good and correct, but it was not. Then we had public hearings and I listened. Unlike other members of this House, I did listen. I have changed my mind and I am very proud of it.

I would like to tell members about one of the things that I listened to. It says here: "It is unfortunate that I have to be sending this letter to you at the last minute, but I believe that the far-reaching consequences of this amendment only recently came to the attention of the medical profession. It is, however, with great dismay that I learned that all three political parties have approved this amendment on its earlier reading."

I should note and underline that our party voted against it today because we got better information that told us this was a most unfair amendment and that proper communication had not taken place. We should be ashamed of ourselves for writing legislation like this at the last minute in this Legislative Assembly.

The most important paragraph of this letter reads: "Interruption of the current method of remunerating the technical component of diagnostic facilities will cause major disruptions. In my own particular area, nuclear medicine"—and this is someone who works at a hospital in London; not a radiologist who works in a clinic but a physician who works at a hospital—"the diagnostic outpatient procedures that we perform involve a fixed cost for radiopharmaceuticals, technologists' time and the use of relatively expensive imaging equipment. These will have to be accounted for in revised hospital global budgets. It is easy to come to the conclusion that modification of the bill represents an attempt to force down global costs of the system by making these procedures relatively unavailable."

If that is the case, I would think the government ought to very carefully make certain that this does not happen.

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The next letter around section 7—and I am not choosing these for any particular reason except that they are succinct—

The Acting Speaker (Mr Breaugh): Order, please. The Chair has been listening to the debate this afternoon at some length. I simply want to bring to the attention of the House that the practice of this House is that on third reading we do have a debate, but the debate centres on the

question of whether or not the bill will be read a third time. We are deviating somewhat from that practice.

I am becoming a little concerned. I am not concerned at all if the House decides to change its standing orders or to make it a practice to have a much broader debate on third reading, but we should do so by thinking through the process. I would not want us to get into a totally different practice simply by neglect. If the member is near the conclusion of her remarks, I do not think we have a problem, but I simply want to point out to her that the practice of the House has been to have a somewhat different type of debate on third reading and we are close to having second-reading debate all over again. I do not think that is our intention.

If the member is near the conclusion of her remarks and we can then proceed, we do not have a problem. I simply draw that to your attention for your consideration.

Mrs Cunningham: Thank you, Mr Speaker, I am nearing the end of my remarks and I am now talking again about the amendment to section 7. I think, in all fairness, I would like to continue on for a couple of minutes.

When Bill 147 was proposed, no one in the medical profession would have guessed that it would ever have included over 1,800 facilities. It started with some 20 independent health facilities. It was supposed to be expanded to five and now, because of this amendment, we are looking at some 1,700 facilities.

We right now do not give our health care system the kind of support it needs in order to carry out the inspections, as they sit right now, in peer review or any other way. We do not supply the support system to our hospitals and to our physicians in private offices now in order to ensure quality review. We have the mechanism, but we do not do it. Who would have guessed, in the fourth part of this, when we took a look at it, the rationale is to cut costs. If we are honest, that is what we are really trying to do here, with no rationale, reasoning or planning around it.

"This amendment will place under bureaucratic control, without compensation, private facilities which we have struggled to build and maintain over literally the lifetimes of many of the partners." This is from a group of radiologists who have written to me and their voices are being heard by very few elected people, obviously. "This amendment will completely abolish new practice and will politicize the practice of medicine throughout Ontario, limiting any new

facilities to the discretion of the government and its bureaucrats.

"This amendment will further restrict patient access by placing offices on global budgets, unable to address increases in case load or changes in examination complexity. We do not self-refer. We run our offices with honesty, integrity and professionalism. Why then have we been singled out in such an unreasonable, unfair and discriminatory fashion?"

I will close by saying that if we do have physicians in any offices or hospitals across this province who are taking advantage of our billing system as it now exists, we should do something about that. We should not have introduced a piece of legislation and made a last-minute amendment, which is unfair, on which the confidence of the government has been challenged by numbers of medical people across this province.

If the real issue is inappropriate billing, inappropriate use and inappropriate use of X-ray facilities, we should be dealing with that issue and this bill does not do it. I am extremely disappointed in where we started, in a bill that I supported in principle, and where we have ended up, which has left literally thousands of physicians across this province demoralized by the kind of accusations that have been made during the hearings by the very presence of that particular amendment and by the responses of the government to their concerns.

Hon Mrs Caplan: I know honourable members will agree that we have no shortage of challenges facing our health care system in Ontario. The real test for the future will be how well we understand those challenges and how thoroughly we answer the questions that they pose.

What are the challenges? I think, in general, there is a consensus that they fall into three broad categories: economic pressures, explosion of technologies, and the ageing of our population. My fellow ministers of health representing all political parties, all stripes if you will, from across this country, had dinner here in Toronto recently at the International Conference on Quality Assurance and Effectiveness in Health Care and we discussed the challenges that we all face. The challenges are the same right across this country and we face them regardless of party affiliation.

One of the things we agreed on when we met and chatted in Toronto last week was that health is not a partisan issue and it certainly has never had a tradition or history of partisanship in this

country in recent times. In fact, in 1984 there was unique unanimity in the passage of the Canada Health Act.

One of the most serious challenges we face is to ensure that the services people receive are effective, appropriate and safe. Effectiveness and safety are also known as quality assurance, and quality assurance is at the very top of my personal agenda. The Independent Health Facilities Act is another important step on the road to quality assurance in this province. It is not the first step, it is just the latest step, because this government has been putting into place many policies and programs over the past two years that are designed to improve quality through quality assurance. All of our initiatives are designed to ensure that the health services the people of this province receive are safe and effective and appropriate.

Our goal is to improve the health of all Ontarians and our vision is clear. I would like to review for the honourable members some of the initiatives that have taken place or are already under way, which are a part of our quality assurance agenda and my personal commitment to quality improvement in this province: Mandatory core programs in public health; utilization review committees in hospitals; alternative funding for clinical teaching units; encouraging the establishment of comprehensive health organizations, health service organizations and community health centres; amending regulations under the Public Hospitals Act to involve nurses on hospital committees; establishment of the Lowy drug inquiry; implementation of recommendations of the McLeish report on Ontario's air ambulance system; guidelines for emergency rooms; appointment of co-ordinators within the ministry in a number of vital areas, and I think everyone is familiar with all six of those vital areas, including, as well, further on top of these specialty care areas, areas such as nursing services; sponsoring a number of projects and programs in conjunction with organizations such as the Centre for Health Economics and Policy Analysis and the department of health management at the University of Toronto, health research projects focusing on health systems research.

This is by no means an exhaustive list, and in concern for the time available today I will not go on at length about all of the initiatives. However, there are many quality assurance initiatives that have been undertaken and it does serve to illustrate how long and how seriously this government and my ministry have been working

in this extremely important area. It also illustrates how the Independent Health Facilities Act flows from and becomes the next step in our ongoing efforts to make sure that the health services that are made available to the people of Ontario are as safe and as effective as possible.

This act, it goes without saying, is not the last step in this journey, either. There will be many more steps to be taken and they will be taken in the public interest.

1700

For the last year and a half, as a result of extensive consultation and dialogue, Bill 147 has gone through a substantial transition. I am proud of this process and I am proud of the product. Deciding to take an open approach to consultation, to listen to concerns and to be willing to make changes to improve the legislation in order to make it better and more workable has not been an easy task. The government has been criticized for taking this approach. Last week and again today we heard comments about the number of amendments to the sections of this bill. This does represent a departure from the norm, it did mean taking time, listening and accepting criticism, but in the end it has meant a much better piece of legislation and that makes the process worth while.

This process has been unique in yet another way: advice and input have not only been received and listened to from those working in the field—the professionals, if you will, the providers—but also from the opposition parties. The bill that is before us today is a result of amendments made by all three parties. We have had many lively and spirited debates and I appreciate the co-operation and the valuable insight provided by members of the opposition during the process of this piece of legislation.

I would also like to acknowledge the important contribution by many members of this Legislature on both sides of this House. I would like to thank in particular the whip of the committee, through the committee hearings process, the member for Oakville South (Mr Carrothers). I would also like to acknowledge the superb job of the chairmen of the committee, the member for Brantford (Mr Neumann) and the member for Ottawa-Rideau (Mrs O'Neill), in conducting those hearings in a way which allowed the public to have an important and significant say during the process of the legislative debate.

Last week there was some discussion regarding the purpose of this bill—we heard it again today—as to whether or not the amendment to section 7, which brings certain diagnostic facili-

ties within the act, has changed the intention of the government and the spirit of the act. I would like to reiterate the three objectives of the act, and say the objectives have not changed and are equally applied to these diagnostic facilities which this new amendment captures.

The original intent and objectives of this act remain, and I will state them again: to provide a funding mechanism for the expansion of much needed community-based health services; to ensure that patients receive effective, quality health care in such facilities; and to plan for the establishment of such facilities in the context of a process that, with the participation of district health councils, takes local needs into account and evaluates the merits of providing specific services in a community-based setting.

I would like, as we address this act, to take just a few minutes to discuss the amendment to section 7 which expands the legislation to cover certain diagnostic facilities. I supported this amendment when moved by the member for Riverdale as I feel it is within the spirit and the original intent of the legislation. The two main reasons which have been given for the amendment related to the second and third objectives of the act, which I just read into the record; namely, ensuring effectiveness and quality of care and providing a mechanism for the planned growth of facilities. The most recent series of public hearings have served to clarify that this is needed in this province.

We heard, for example, from the hospital sector about the concerns over unnecessary and costly duplication of services, duplication which occurs outside the planning process established by the local district health councils. We have heard from members of the medical profession and from medical technologists about the need for the development of standards and procedures for ensuring the quality of care. From the College of Physicians and Surgeons of Ontario, they came forward and expertly explained why this legislation takes us one giant step forward towards assuring quality in community facilities.

There were some excellent submissions during the public hearings. I was most impressed by the eight-point plan proposed by the Ontario Association of Radiologists. This plan specifically proposed a mechanism to work towards development of quality-of-care standards and a standardized method of utilization review.

In order to ensure that this dialogue and consultation continue, I have asked Dr Robert MacMillan, executive director for the health insurance division, to chair an implementation

advisory committee. The first meeting of this committee will occur shortly. I will be asking for early proclamation of this act, because I believe it is so significant and important to the people of this province. I believe it is in the public interest. There is considerable work to be done in preparing for the implementation, and the advisory committee will be key to much of this work.

The suggestion has been made that this legislation is discriminatory, that it places an extra requirement on some members of the medical profession which it does not place on others, that if we were truly concerned about quality of care in all practices, why would we not proceed with a broader scope at this time. That point was again made by the critic for the third party today. I do not feel this legislation is discriminatory. It is a first step towards enhancing and ensuring quality of care.

The facilities affected by the legislation will cover the majority of those that perform highly technical, sophisticated and expensive services. As the College of Physicians and Surgeons indicated, this permits an incremental approach to ensuring enhanced quality assurance in facilities and is a step in the right direction. That is why I support this position.

I have been asked to put on the record, as I have done before, that the existing facilities, providing a quality-assured, needed service, will be fairly and equitably compensated. I am pleased to reiterate that today. I have given the same assurance in writing to many who have written to me on this subject. I have also told the hospitals that they will continue to be fairly reimbursed for their outpatient diagnostic work.

I would like to again express strong feelings that this consultation and dialogue have been a most useful process and that the act we will be voting on today is an excellent example of how such dialogue can benefit the legislative process.

I would like to acknowledge the hard work and dedication of my ministry officials in making this bill a reality. There were many who were involved in the process of the drafting and the shepherding of this legislation. In the members' gallery today are Dr Bob MacMillan, Gilbert Sharpe, Marsha Barnes, Rebecca Gotlieb, Bev Lyman, Marcia Macks and Marilyn Wilson. I would ask that they stand and be recognized and thanked appropriately. Their task really was outstanding. I want members to know how proud I am of the work they have done.

I would also like to introduce guests in the members' gallery. Gilbert Sharpe has invited his

cousins, who should be nice to Gilbert. Noah Shopsowitz is here. And I am pleased also that my daughter is able to be in the members' gallery today.

The Acting Speaker: Order. I would just like to point out there is one person in that gallery you missed and one person in the other gallery you missed.

To be serious for a moment, we seem to be having a little trouble about debate on third reading and we seem to be setting some rather unusual precedents as to how we might proceed. I take it, since there are not a lot of objections being raised on all sides, that the House has concurred with all of this. That is fine, but I want the House to be aware that it is a bit unusual, in a debate on third reading, to be doing introductions of who is in the gallery on the day. I do not sense that the House is offended by that, but if I am able to engage personally in third reading again, I now have an interesting precedent that is set. If you bring them in by the busloads, we would probably have to allow you to introduce them all. I hope the minister is not going to introduce everybody who is here.

Hon Mrs Caplan: Thank you very much, Mr Speaker. I can assure you, when you check Hansard, you will see that my remarks are shorter than my critics in the opposition. I have tried to read and address my comments as briefly as I can.

I also would like to acknowledge the staff in my office, both Joyce Rowlands and Pankaj Varma. Thank you very much, Mr Speaker, for the opportunity to do that. Many people do work so hard to help. If it is all right, I would also like to acknowledge the role that the member for Kingston and The Islands (Mr Keyes) played in the committee hearings—

1710

The Acting Speaker: I am going to have to stop the acknowledgements now because I have personal knowledge that the member for Riverdale has eight bus loads of delegates from the Ontario Federation of Labour conference arriving, and I am not going to let him introduce them either. Proceed.

Hon Mrs Caplan: I hope I have made it clear to all members of the House that effective quality health care is at the top of my personal agenda. It is the most significant concern facing us today and the most significant challenge. I want to restate my commitment to co-operation with all of our partners in health. I am determined that in Ontario the Ministry of Health will deserve its

name. Together in partnership we can find the answers that we seek. I believe that is the very least that a caring society can do.

When people ask me at the end of the day what I think about being Minister of Health and what I want to accomplish, I usually tell them, "I think about my four children." They range in age from 17 to 25, and they remind me that the awesome responsibilities that I have are not only for today but must be aimed at helping to set the course to improve tomorrow for them, for your children and for our grandchildren. The legacy that we received and the heritage of Canadian medicare, which even with its flaws is the envy of the world, must be protected and enhanced, and to do that we must strive to create the kind of relationships that will see us move confidently into the next decade and beyond. I believe the Independent Health Facilities Act will help us to meet that challenge.

The Acting Speaker: Mrs Caplan has moved third reading of Bill 147. All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Hon Mr Ward: Mr Speaker, I seek unanimous consent to take the vote on Bill 147 at the conclusion of the third reading debate on Bill 20.

Agreed to.

ONTARIO MUNICIPAL IMPROVEMENT CORPORATION AMENDMENT ACT, 1989

Mr Ward, on behalf of Mr R. F. Nixon, moved third reading of Bill 18, An Act to amend the Ontario Municipal Improvement Corporation Act.

The Acting Speaker (Mr Breaugh): The government House leader has moved third reading of Bill 18. Is there any debate on the matter? Are we ready for the question?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

Bill ordered to be reported.

DEVELOPMENT CHARGES ACT, 1989

Mr Ballinger moved, on behalf of Mr Sweeney, third reading of Bill 20, An Act to provide for the Payment of Development Charges.

Mr Ballinger: Thank you very much, Mr Speaker.

Mr D. S. Cooke: I would like to acknowledge the following people.

Mr Ballinger: I just want to say to the member for Windsor-Riverside (Mr D. S. Cooke), do not take my thunder away. I have been waiting all day for this.

Today I am moving third reading of legislation designed to bring order and reason to the long-standing practice of charging developers for growth-related capital costs. I would like to take a moment to highlight some of the changes that have been made to this bill since it received second reading.

In all, the government proposed just over 50 amendments affecting more than 30 sections of the bill. That may seem like many but I would point out that the vast majority of these changes were the result of much input received during the extensive public consultation undertaken this summer—

Mr D. S. Cooke: It was badly drafted.

Mr Ballinger: It was not badly drafted at all. This is a government that listens.

Municipalities, developers and members of the public told us what they thought and the government did listen, even if the opposition does not believe that. Most of the changes are minor and simply clarify parts of the legislation, however, some represent fairly significant policy changes.

Perhaps the most important change is in the definition of capital costs. The list of eligible capital expenditures is being expanded to include rolling stock, such as additional fire trucks required as a result of growth, furniture, equipment and library materials.

Another change will permit a municipality to cover capital costs related to services not directly owned by the municipality or located within the municipal boundaries. This would cover, for example, cases where a municipality shares the cost of facilities located in another municipality such as a landfill site or a water treatment plant. These changes were made at the request of municipalities.

Still another change clarifies that levies can be charged to cover capital costs of local boards, such as library boards, police commissions or hydroelectric utilities.

We also have changed the rules on what is known as front-end financing. This occurs when the first developer in a particular area pays for all necessary servicing on the understanding that those who later develop other properties in the same area will pay their fair share to the municipality, which will refund part of the first developer's front-end payment. Originally, the legislation only permitted front-end agreements

covering sewer, water and roads. Both municipalities and developers have asked that rules be broadened so front-end agreements can cover whatever services the two parties wish. The ministry sees no reason not to grant this request.

We also have, at the request of the municipalities, given all municipalities two years to develop and pass a development charge bylaw. The original legislation required municipalities that have a maximum residential levy in excess of \$3,000 to pass a bylaw within one year.

We would also draw members' attention to a change that is important, given my minister's other responsibility as Minister of Housing. During the public hearings on this legislation, many people suggested exemptions for affordable housing. We feel a provincially imposed exemption from payment of levies for modestly priced housing would not be appropriate for a couple of reasons.

First, although levies are charged at the beginning of the development process, the final selling price of the houses is usually not known until much later in the process. Secondly, many areas of the province contain a large percentage of affordable housing with modest lot levies. In those cases, an exemption would be unnecessary.

As well, municipalities may feel it appropriate to exempt certain public facilities, such as churches and child care centres, from paying full lot levies. This legislation therefore allows municipalities the option of granting total or partial exemption for affordable housing and institutions. We hope municipalities will assess their community needs and consider using this exemption.

As mentioned earlier, lot levies are nothing new in high-growth areas of Ontario. This legislation, for the first time, makes municipalities accountable for the levies they charge. It will ensure that all municipalities play by fair, clearly set and easily understood rules.

1720

Mr Morin-Strom: I appreciate the opportunity to speak on Bill 20, An Act to provide for the Payment of Development Charges. This bill, which gives the legislative authority for the imposition of lot levies, is another example of a tremendous tax grab that this province is imposing upon workers, consumers and, in this case particularly, home buyers in the province of Ontario.

Mr Fleet: It's the municipal level.

Mr Morin-Strom: I know, and it is another example of a government passing the buck to

municipalities and avoiding its responsibility to fund the costs of services and, in particular, educational facilities in municipalities across the province of Ontario.

Mr Fleet: Can't have it both ways.

Mr D. S. Cooke: That is exactly what is happening, passing the cost on.

Mr Pouliot: You ought to be ashamed.

Mr Morin-Strom: Tied to this bill, introduced in the last budget, was a severe cutback in funding for capital and, in particular, for new school construction in the province of Ontario. What had been a historical commitment across this province of 75 per cent funding—

Mr D. R. Cooke: That's not so. There was no cutback in funding in the last—

The Acting Speaker: Order, please. I just want to point out to you it is my job to see that everybody gets a chance to speak, but I cannot do that if you want to do it all at the same time. We will have to adjourn and become a choral society. So let's do this by the book, one at a time. If you do not like what a member is saying, at the end of what he has to say, you will have an opportunity to make comments or ask questions. Write it all down and take the exercise just the way it is written out, to make your comments and questions at that time. But he does have the right to make his speech uninterrupted by others, particularly when they are not even sitting in their own seats. Proceed.

Mr Morin-Strom: There has been a historical commitment to school boards across this province to provide 75 per cent of the cost of new school construction for school boards in the province of Ontario. Tied to this bill is a cutback in that commitment from 75 per cent to 60 per cent. That tax burden is being put on local property taxpayers. In some communities which have the opportunity and have growth taking place, they will have the right to apply lot levies to new housing construction. For communities that do not have such growth, they will pay a penalty in terms of the provincial support for new school construction and will have to make up the difference. In either case, the cost goes on the property taxpayer, either through his property taxes directly or through lot levies which will be paid by new home buyers.

One can see some sense in terms of municipal lot levies in wanting to bring uniformity to a system which was extremely unwieldy, with different municipalities applying different formulas and on different bases from community to community, particularly in southern Ontario. At

the present time, lot levies in some communities are over \$10,000 for hard services and infrastructure tied to municipal services. This bill will now add an additional lot levy for school boards for school construction of anywhere between \$5,000 and \$10,000. This lot levy proposal makes a mockery of the Liberal government's supposed commitment to keep housing affordable in the province of Ontario.

This proposal specifically targets purchasers of new homes as the people who must pay for new schools. Purchasers of secondhand homes will not have to pay this price. For example, a lot levy is not required for a family that had their home built in 1988 or 1989, but for a family whose home is built next year, a lot levy of an additional \$5,000 to \$10,000 for school construction will be required in many communities across the province of Ontario.

As well, one of the disincentives that this will place will be with respect to the willingness of many communities to go ahead with affordable housing projects. The government has made minor changes which will permit exemptions to be provided for affordable housing. Unfortunately, there is no compulsion in the legislation to do so.

There is no incentive for municipalities to do so, and we certainly heard from a number of those municipalities in the greater Toronto area that had no interest in that kind of approach and that are not interested in the development of affordable housing. How can one expect them to come up with the difference in cost if they are not able to apply a lot levy for certain types of housing?

The government has not provided assurances that we, as a province and as a government, will provide the cost of those lot levies to absorb that additional cost, particularly on affordable homes. A lot levy of \$15,000 to \$20,000 total, in terms of municipal and education levies, will make a significant difference as to whether housing stock will be created at an affordable level in many communities of this province or not.

This bill was a seriously flawed bill from the day it was introduced. We had extensive hearings over the summer. We had a summary of recommendations on various aspects of this bill, nearly 80 pages of changes that were recommended by organizations and school boards across the province of Ontario.

The government had a bill that had many flaws and, as a result, had to come in with a series of amendments. Unfortunately, only a very few of

the amendments were substantive in nature and addressed the real issues that we heard in committee on this bill. The vast majority of the more than 100 pages of amendments we have received on this bill were technical in nature because of poor government drafting of a bill that was not thought out properly in advance and was flawed in many respects.

It is unbelievable that a bill that originally took 30 pages to draft, with 49 sections, ended up with an initial proposal of 54 pages of government amendments in early October. The following week we got another 16 pages of government amendments, and in the end, we had a complete overhaul again, with more than 100 pages of government amendments that have been received on a bill that took 30 pages to write originally.

The government should have withdrawn the bill, gone into a real serious consultation on this bill and listened to the people who we heard from over this summer and redrafted a bill that made sense and would do for the housing that we desperately need in many areas of this province what we want in terms of providing affordable housing, not a penalty that is going to hurt an industry that is vital to this area and certainly one that is going to hurt many families that are having such a hard time in finding housing that is reasonable and affordable for themselves.

We are strongly opposed to this bill and regret that the government did not withdraw it.

1730

Mr Cousens: I would like to add some remarks in this, the final chance before the government goes ahead and does what it wants to do. Before I begin, I would like to acknowledge that it has been a very difficult process for all of us looking on, wanting to change this flawed legislation from the very beginning. The fact that the parliamentary assistant points to some 50 amendments in some 30 different sections tells me and tells the world, an admission on the part of this government, that when it brought in this bill, Bill 20, on May 17, it was not right in the first place. The fact of the matter is, it is still not right. It is still flawed. That is the beginning point, and it is going to be the ending point, because we are going to have to come back to this bill over time in the future to get the government to reconsider different aspects of it.

The one good bit of news I would like to table has to do with the meeting that was held in York region with the chairman of the region, Gord Landon, who is the regional councillor for Markham, and the three other MPPs who serve York region along with myself. They happen to

include the parliamentary assistant for the Ministry of Municipal Affairs, the member for Durham-York (Mr Ballinger); the member for York North (Mr Beer), and the Minister of Consumer and Commercial Relations, the member for York Centre (Mr Sorbara). When it comes to serving the needs of York region, what I am very pleased to say is that we are able to sit down in the same room at the same time and work things out. I would like to go on record and compliment the honourable parliamentary assistant for having gone to task and trying to—

Mr Pope: Not even Mahoney agrees with that.

Mr Cousens: —once in a long time, for having gone back to the government and convincing the minister to make some of the amendments that were made, because it was essential that they were made. It was the basis of the presentation that had been made by York region when its delegation came to the standing committee on finance and economic affairs. We were concerned that the taxes in York region could have gone up by 40 per cent had those changes not been made. It was almost like the court of last resort when we had that meeting. The fact that these changes were finally made is some satisfaction. It is still headline news, though, in my community, “Bill 20 to undergo Changes”—and our community is at least celebrating some of the changes that have been made.

I would like to give a great deal of credit to the kind of thinking that was enunciated by our community in York region. It was coming back to this government, frustrated to the extent that this government is introducing all kinds of changes, not backing them up with research and fact, not doing its homework beforehand so that therefore the minister would come out and table things at the last moment.

If it ain't broke, don't fix it. But these guys do not know how to fix anything when it is broken. What we were talking about was a system that did not need to have 50 amendments. Suddenly, when they try to propose changes, they do not know how to do it. May I say that the people of Ontario are going to do something about these Liberals next time they have a chance. As it stands here, all I can do is sit and talk against it, vote against it and make sure the people of Ontario understand what is happening with this government.

When it was tabled in the Legislature, we had a chance to bring this before committee, and among the presentations that were made was indeed the one from the town of Markham. It points out a number of issues on how the taxes

have increased within our region over the past year from previous years by over 17.7 per cent within the local town levels, that it has increased by over 20 per cent at the school board levels and with all the things that the province is doing passing things down to local municipalities, it is becoming more and more difficult for the municipalities to fulfil their responsibilities.

Mr Faubert: That has nothing to do with it.

Mr Cousens: I will just say that it has to do with Bill 20. The member is very eloquent from his seat. I wish he would stand up and speak like a man rather than sit back there and carp.

I am concerned with a number of the factors that go into this bill, especially what it is going to do with the educational taxes and how those taxes are going to be redirected.

I would like to refer to the key points that were made by the Toronto Board of Education. They made a number of points that I agree with 100 per cent on the problems of educational lot levy. I would like to just put them in the record at this point, because they have not changed from the original discussions we had.

The first point is that lot levies for school boards should not be substituted for provincial funding for capital programs. This government in Ontario is reducing the capital it is allocating for school boards from 75 per cent towards that capital to 60 per cent. If you start looking at what it is going to cost for a lot right now, you are talking about \$750,000 an acre in the town of Markham and you are seeing the local school board paying \$4.5 million for a lot that would be six acres. Before, when we had arrangements with the developers, we were able to get those lots for \$75,000 or less an acre.

I realize there are changes. I realize there are factors that would cause it to change. The fact is that while the province brings in this new bill, it is going to be at the same time reducing its commitment to the cost of capital for new schools, especially in the buying of property.

Mr D. R. Cooke: That's not correct. It is not saying that. It's not true.

Mr Cousens: If the member does not think I am correct, he should stand up and speak when he has a chance to say it.

The Deputy Speaker: Order, please.

Mr Cousens: I repeat the point because the honourable members do not seem to have good ears. Lot levies for school boards should not be substituted for provincial funding for capital programs.

The second point is that the burden of lot levies will be borne by new home buyers and all forms of affordable housing, which may have a negative effect on the provision of nonprofit housing. It is difficult enough for a person to buy a new home without the high cost levies that are going to be on the property from now on for people who want to buy a home. For that reason, I also say this bill is wrong.

The next point that is made by the Toronto Board of Education—people from around Ontario sometimes think nothing good comes out of Toronto, but this report here is dead on and this government does not know how to listen to it. I wonder what is going to happen to all those Metro MPPs who in fact are going against the will of their own people.

Interjection.

The Deputy Speaker: Order, please. The member for Kitchener is out of order.

Mr Cousens: The third point they make is that lot levies do not relate to the ability to pay. The government is just going after the people who are buying a new home but not affecting the whole of the community, people who buy older homes or people who have other situations.

The fourth point is that education as a basic government service should not be funded by a user-pay tax.

These are just a few of the points that were raised by the Toronto Board of Education. There are many more and the fact of the matter is that this government is wrongminded to come along now and try to introduce this tax to try to cover its problems. It should be putting money where it counts. Education is the number one priority, but to do it by this means, at the same time as it reduces its commitment to it, is having a negative impact on the future of education in our province.

I disagree with it. I will vote against it. I hope that some day someone gets into power who changes it so that it is done correctly.

The Deputy Speaker: Any questions and comments on the member's statement? If not, do other members wish to participate in the debate? If not, does the minister wish to respond?

Mr Ballinger: First of all, I want to thank you for the promotion, Mr Speaker. It is the best promotion I have had all day. In fact, this is the only one I have had today.

I want to wrap up on behalf of the Minister of Municipal Affairs (Mr Sweeney). So little time and so many arguments. In responding to both the member for Sault Ste Marie (Mr Morin-Strom) and the member for Markham (Mr

Cousens), I am somewhat perplexed at the comments that relate to the bill as being a poorly drafted piece of legislation.

In the two years I have been here, if there is any one thing I have learned that is sort of really ironic, it is that the government cannot win. If we propose a piece of legislation unamended, then we get accused of not listening to all the deputations and to the honourable members of the opposition. When we do that and hold public hearings and we even have 52 amendments, many of them minor, but some quite substantive ones, based on submissions to the committee, then both members who are speaking today on behalf of their respective parties say, "It's a poorly drafted piece of legislation because the government doesn't listen." What a joke that is. The government did listen and it did respond.

There are two major amendments in this piece of legislation that are going to be well received out there by the community. One is the expansion of capital costs for the municipalities that the honourable member for Markham spoke about. He was getting severely beat up in his own riding, trying to influence the government to account for that amendment. We did that as a government. It is a good amendment and it is well received by most of the municipalities in Ontario.

1740

The second one, and I want to respond to the member for Sault Ste Marie on this, is the question about affordable housing. This is a municipally permissive bill. This is not a directive; it is municipally permissive. What this bill allows is for municipalities within their own realm, when they are making decisions about housing, to take into consideration those costs of the levies, so that they can be reflected in any subdivision or site plan agreement they may have. So in fact if they want to lower them and meet the provincial requirements of 25 per cent, they can attach that percentage to the levy, or else they can completely do away with the levy if they deem that it is in the public interest of the community they represent.

Those are the positive points of this bill. I do not think we should sit here and be critical of those two. Those two are very important and will be well received out there by the municipalities, communities and nonprofit groups that are working very hard within their communities to provide affordable housing. It is very easy for the people in opposition to be critical, and I accept that. But our job as the government is to propose

legislation that will reflect what is really happening in Ontario.

In those growth-related areas, and let me tell the House, I represent one. I just happen to represent the riding of Durham-York. Both parts of my riding are under tremendous growth. Had we had an education levy in my riding five, six, seven or eight years ago, I would not have as many portables in my community, not because the government has cut back but because our \$1.2 billion for capital construction of schools is there, our three-year commitment that the Treasurer (Mr R. F. Nixon) brought out. It is just that we are trailing behind in the infrastructure.

That particular levy, five or 10 years from now in those growth-related areas, will be perceived as wisdom: very, very good wisdom. On behalf of my minister, the Minister of Municipal Affairs, I am pleased to have this opportunity to move third and final reading of Bill 20, which will be received out there by most communities as a decent piece of legislation.

1755

The House divided on Mr Sweeney's motion for third reading of Bill 20, which was agreed to on the following vote:

Ayes

Adams, Ballinger, Brown, Campbell, Caplan, Carrothers, Conway, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Eakins, Elston, Epp, Faubert, Fawcett, Fleet, Fontaine, Furlong, Grandmaître, Haggerty, Hart, Hošek, Kerrio, Kozyra, LeBourdais, Lipsett, Lupusella, Mahoney, Mancini, Matrundola, McGuigan, McLeod, Miclash, Miller, Morin, Neumann, Nixon, J. B;

Oddie Munro, Offer, O'Neil, H., O'Neill, Y., Owen, Patten, Phillips, G., Roberts, Smith, E. J., Sola, Sullivan, Tatham, Ward, Wilson, Wong.

Nays

Allen, Charlton, Cooke, D. S., Cousens, Cunningham, Eves, Grier, Jackson, Johnson, J. M., Laughren, Mackenzie, Martel, McCague, McLean, Morin-Strom, Philip, E., Pollock, Pope, Pouliot, Sterling, Wildman.

Ayes 54; nays 21.

INDEPENDENT HEALTH FACILITIES ACT, 1989

The House divided on Mrs Caplan's motion for third reading of Bill 147, which was agreed to on the same vote.

The House adjourned at 1758.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

NONPROFIT HOUSING

190. Mr Harris: Would the Minister of Housing provide the following information about the October 1988 Homes Now program: the number of units under construction as at 1 May 1989? [Tabled 29 May 1989]

See sessional paper 212.

ERRATA

No.	Page	Column	Line	Should read:
68	3909	2	46	Act, 1989, Bill 68 3883
69	3942	1	42	Mr. Kormos: Italy—the member is right. I have not seen

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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- | | |
|--|---|
| Adams, Peter (Peterborough L) | Epp, Herbert A. (Waterloo North L) |
| Allen, Richard (Hamilton West NDP) | Eves, Ernie L. (Parry Sound PC) |
| Ballinger, William G. (Durham-York L) | Farnan, Michael (Cambridge NDP) |
| Beer, Hon Charles , Minister of Community and Social Services (York North L) | Faubert, Frank (Scarborough-Ellesmere L) |
| Black, Hon Kenneth H. , Minister of Tourism and Recreation (Muskoka-Georgian Bay L) | Fawcett, Joan M. (Northumberland L) |
| Bossy, Maurice L. (Chatham-Kent L) | Ferraro, Rick E. (Guelph L) |
| Bradley, Hon James J. , Minister of the Environment (St Catharines L) | Fleet, David (High Park-Swansea L) |
| Brandt, Andrew S. (Sarnia PC) | Fontaine, Hon René , Minister of Northern Development (Cochrane North L) |
| Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP) | Fulton, Ed (Scarborough East L) |
| Brown, Michael A. (Algoma-Manitoulin L) | Furlong, Allan W. (Durham Centre L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Grandmaître, Bernard C. (Ottawa East L) |
| Callahan, Robert V. (Brampton South L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Campbell, Sterling (Sudbury L) | Haggerty, Ray (Niagara South L) |
| Caplan, Hon Elinor , Minister of Health (Oriole L) | Hampton, Howard (Rainy River NDP) |
| Carrothers, Douglas A. (Oakville South L) | Harris, Michael D. (Nipissing PC) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Hart, Hon Christine E. , Minister of Culture and Communications (York East L) |
| Chiarelli, Robert (Ottawa West L) | Henderson, D. James (Etobicoke-Humber L) |
| Cleary, John C. (Cornwall L) | Hošek, Chaviva (Oakwood L) |
| Collins, Hon Shirley , Minister without Portfolio (Wentworth East L) | Jackson, Cameron (Burlington South PC) |
| Conway, Hon Sean G. , Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L) | Johnson, Jack (Wellington PC) |
| Cooke, David R. (Kitchener L) | Johnston, Richard F. (Scarborough West NDP) |
| Cooke, David S. (Windsor-Riverside NDP) | Kanter, Ron (St Andrew-St Patrick L) |
| Cordiano, Joseph (Lawrence L) | Kerrio, Vincent G. (Niagara Falls L) |
| Cousens, W. Donald (Markham PC) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cunningham, Dianne E. (London North PC) | Kormos, Peter (Welland-Thorold NDP) |
| Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC) | Kozyra, Taras B. (Port Arthur L) |
| Curling, Alvin (Scarborough North L) | Kwinter, Hon Monte , Minister of Industry, Trade and Technology (Wilson Heights L) |
| Daigeler, Hans (Nepean L) | Laughren, Floyd (Nickel Belt NDP) |
| Dietsch, Michael M. (St Catharines-Brock L) | LeBourdais, Linda (Etobicoke West L) |
| Eakins, John F. (Victoria-Haliburton L) | Leone, Laureano (Downsview L) |
| Edighoffer, Hon Hugh A. , Speaker (Perth L) | Lipsett, Ron (Grey L) |
| Elliot, R. Walter (Halton North L) | Lupusella, Tony (Dovercourt L) |
| Elston, Hon Murray J. , Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L) | MacDonald, Keith (Prince Edward-Lennox L) |
| | Mackenzie, Bob (Hamilton East NDP) |
| | Mahoney, Steven W. (Mississauga West L) |
| | Mancini, Hon Remo , Minister of Revenue (Essex South L) |
| | Marland, Margaret (Mississauga South PC) |
| | Martel, Shelley (Sudbury East NDP) |
| | Matrundola, Gino (Willowdale L) |
| | McCague, George R. (Simcoe West PC) |
| | McClelland, Carman (Brampton North L) |
| | McGuigan, James F. (Essex-Kent L) |
| | McGuinty, Dalton J. (Ottawa South L) |
| | McLean, Allan K. (Simcoe East PC) |

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Official Report of Debates

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Thursday 23 November 1989

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Editor of Debates: Peter Brannan

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 November 1989

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

CANADIAN VOLUNTEER KOREAN SERVICE MEDAL

Mr Farnan moved resolution 32:

That in the opinion of this House, the government of Canada should strike a distinctive Canadian Volunteer Korean Service Medal to be awarded to those Canadians who served in the Korean War, 25 June 1950 to 27 July 1953.

Mr Farnan: In the quiet and peace of the Memorial Chamber of the Peace Tower in the centre block of Canada's seat of government lie Canada's five Books of Remembrance. Together the books contain the names of 114,710 Canadians who lost their lives while serving in campaigns outside Canada since Confederation. The largest and first-created of the books records Canada's fatalities in the First World War. It contains 66,655 names. In the Book of Remembrance for the Second World War, the names of 44,893 Canadians who died in that war appear. The book commemorating the war dead of Korea has 516 entries and that of the South African war and the Nile expedition combined, 283.

Newfoundland has its own Book of Remembrance in which are written the names of 2,363 native sons and daughters who were killed during war service between 1914 and 1949, the date of the province's entry into Confederation.

Mr Speaker, I would ask for clarification. I believe the time allowed is 20 minutes, is that not correct?

The Speaker: The rules have been changed this session. It is 10 minutes.

Mr Farnan: It is appropriate that the Memorial Chamber housing our country's Books of Remembrance should be located in that section of our nation's Parliament Buildings that is referred to as the Peace Tower, because that is precisely why these men and women died. Together with millions of young Canadian men and women, they had volunteered to protect a

way of life, a way of life that was based on peace and freedom.

Today we are discussing the contribution and the appropriate recognition of Canada's Korean War veterans. We are talking about 26,791 Canadians who volunteered to serve in Korea.

There has never been any doubt as to why Canadians volunteered to serve in Korea. On the title page of the Korea Book of Remembrance, just below the Canadian Coat of Arms, are emblazoned the words "In this book is written the names of Canadians who gave their lives for freedom while serving with the United Nations in Korea, 1950-1953." There it is in the boldest of print, the words "Canadians," "serving" and "freedom."

To further emphasize the point as to why Canadians volunteered to serve in Korea, let me draw the attention of this House to the opening page of the Korea Book of Remembrance. There is the emblem and the symbol of the United Nations. The olive branch, of course, has always been the symbol of peace, as the United Nations has been an organization dedicated to peace.

I have taken some time to underline the motivation of Canada's volunteers in the Korean War. It is important because my resolution is not intended to glorify war, rather it is to recognize the sacrifices made to uphold freedom and peace and to applaud the generosity of spirit that would inspire young men and women to risk their lives in such a noble cause.

So it is fitting that the Korea Book of Remembrance should be placed alongside the Books of Remembrance for the First World War and the Second World War. The volunteers for each had the same motivation and generosity of spirit. They experienced the same fears and anxieties; they endured the same separation from home and from loved ones; they witnessed the same carnage of fallen comrades; they must live with the same injuries and nightmares; they survived similar setbacks and ultimately won the same victory. The Canadian Korea volunteer is in every way the champion of freedom and peace as were our Canadian volunteers of the First World War and the Second World War.

Among the aims and objectives of the Korea Veterans Association of Canada is the following,

"To strive to obtain for veterans of the Korean War the recognition which we feel has not been given."

What the Korea Veterans Association seeks is recognition by the Canadian government of their contribution to peace, freedom and security. Certainly, the valour, courage and sacrifice of our Korea veterans has been recognized. Korea veterans are the recipients of the United Nations Service Medal and the Commonwealth Korea Medal. Unfortunately, the Canadian government has never honoured our Korea veterans with a distinctively Canadian medal.

The arguments currently put forward to justify the failure of the Canadian government to appropriately recognize our Korea veterans are contained in a letter dated 15 January 1986 from the Honourable George Hees to MP Ian Deans. The minister argues that there are already two medals honouring Korea veterans, and questions why there should be another.

Of course, the minister was only too well aware that there was no Canadian medal, so he attempted to justify this fact by suggesting that the Commonwealth Korea Medal as awarded to Canadians is distinctive in that it is minted of pure silver rather than cupro-nickel and incorporates the word "Canada" on the reverse of the medal.

All of this cannot hide the fact that there is no Canadian Volunteer Korean Service Medal, and our Korea veterans are not satisfied that the word "Canada" imprinted on the back of the Commonwealth Korea Medal can in some way be considered compensation for a distinctively Canadian Korea service medal. They would proudly wear a decoration that clearly indicated recognition by their own Canadian government.

Perhaps the hardest blow of all to our Korea veterans must be the following paragraph in the same letter:

"Certainly, if there were ever consideration given in the past to the idea of striking a third medal for Korea service, I cannot imagine the same consideration being given now or in the future. The cost of producing and distributing 25,000 medals for veterans and their families now, 30 years after the end of the war, would be prohibitive."

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The Honourable Mr Hees is wrong. When one examines the examples of government waste as outlined by the Auditor General, the cost of producing and distributing a special medal to our Korea veterans would be minuscule in comparison to the waste in government spending.

Nor does the passage of time in any way detract from the obligation of our Canadian government. It is only recently that the federal government attempted to rectify the injustices to Japanese-Canadians that occurred during the Second World War. Surely we have allowed sufficient time to pass, 36 years, without proper recognition of Canada's Korea veterans.

I must stress at this point that the Honourable Mr Hees is universally respected by veterans.

We do not know why the Canadian government has been so intransigent in doing what is right and honourable by Korea veterans. Certainly, I believe that the striking of a distinctive Canadian Volunteer Korean Service Medal would be applauded by all veterans and by the Canadian public at large.

It is my purpose in presenting this resolution to the House to set in motion a process ultimately resulting in our Korea veterans receiving from Canada the recognition they have already received from the United Nations and the Commonwealth.

With unanimous support for this resolution today we, the provincial representatives of the people of Ontario, will send a clear message to our federal government. I will request of the Clerk that a resolution be forwarded to all provincial and territorial governments and I intend to lobby each of these governments to pass similar resolutions. Hopefully, the federal government will then take heed of a unified message coming as it will from coast to coast. Only the federal government has the power to properly recognize our Korean veterans. They volunteered as Canadians. It is about time we honoured them as Canadians.

There is a slogan that is commonly used in circles of Korean veterans. It reads, "Though we are forgotten, we will not forget." This slogan poignantly sums up the despair that the Korean veterans feel as a result of the failure of the government of Canada to recognize their magnificent and generous contribution to peace and freedom. It is time that we removed the reason that caused such a slogan ever to be phrased.

I want to recognize the assistance I received from Don Randall, CD, the national president of the Korea Veterans Association of Canada in researching this issue. I also wish to acknowledge the contribution of KVA Unit 13 President Alex Ferguson and other members of the unit.

Finally, I ask today for the unanimous support of the House for this resolution. Let our message to the federal government be clear and strong. It is time to recognize these Canadians. It is time to

realize that they fought as Canadians. It is time that they were honoured as Canadians.

The Speaker: I did not want to take up the time of the member who is speaking, but the rule has changed and you will have a further opportunity during the 15 minutes for your party to speak, and you also get two minutes to wind up.

Mr J. M. Johnson: As an honorary member of the Royal Canadian Legion Branch 134, Mount Forest, I am pleased to have the opportunity to participate in this debate on ballot item 29, the resolution by the member for Cambridge requesting that the government of Canada should strike a distinctive Canadian Volunteer Korean Service Medal to be awarded to those Canadians who served in the Korean War, the war that started 25 June 1950 and continued for over three years until an armistice was concluded on 27 July 1953.

Our caucus is very supportive of this resolution and I feel quite honoured to speak in support of our veterans of the Korean War.

Perhaps that term "Korean War" should be the first item that needs clarification. Too often, people refer to the Korean conflict when indeed it was a terrible war. I do not know the guidelines you are to use to determine if armed conflicts between nations should be classified as conflicts or wars.

What I would like to remind the members of this assembly of is the terrible cost of the Korean War. The North Korean troops launched a full-scale invasion of South Korea on 25 June 1950. The war concluded with an armistice on 27 July 1953, having lasted for three years and one month and having accounted for about 4 million casualties including civilians. South Korean casualties were some 1,313,000. Communist casualties were estimated at about 2.5 million. The United States lost 33,629 dead in action; South Korea, 47,000; and the United Nations forces, 3,194. The estimated losses in action of the People's Republic of China were 900,000 men; and of North Korea, 520,000. During the war, 43 per cent of Korea's industrial facilities were destroyed and 33 per cent of its homes devastated.

I would submit that indeed was a terrible war, and to use the term "conflict" to describe the Korean War is to belittle the contributions made by Korean War veterans to the sake of world peace. We have used the term "conflict" too often, and I have even used it myself in the past. Perhaps this debate will help put an end to that unfortunate habit.

What about the Canadian participation? The member for Cambridge has made mention of these facts. I might just mention to highlight it, that 26,791 Canadians served in the Korean theatre between the beginning of hostilities in 1950 and the signature of the armistice in 1953. The names of 516 Canadians are inscribed in the Korea Book of Remembrance displayed in the Memorial Chamber of the Parliament Buildings. The same 516 names appear in the official United Nations Book of Remembrance for Canada enshrined in the Memorial Monument for the United Nations force at the United Nations Memorial Cemetery in Pusan, Korea.

I contacted Ray LePointe, secretary of the Korea Veterans Association of Canada, and he very kindly provided me with much of the information that I am using, and also I thank the member for Cambridge. I do thank him for extending to me that courtesy.

On a personal note I would like to tell the members about a lifelong friend of mine, Lincoln McDougall, who was a young man at the time of the Korean War, a young man who served in the medical corps in Korea. I asked Lincoln if it was a conflict or a war, and Lincoln told me about the countless bodies, the wounded, the carnage that he encountered sometimes on a daily basis. In his opinion it was a war—a hell of a war, and as Lincoln and many others have said, "War is hell." Do these veterans of the Korean War deserve a distinctive Canadian volunteer service medal? The answer, my answer, my party's answer, is yes, an unqualified yes.

I discussed this resolution with the president of the Korea Veterans Association of Canada, Don Randall of Guelph. He was very supportive of this resolution, and impressed on me the very logical reasons why the federal government should strike such a medal, many reasons that the member for Cambridge has already outlined.

I also might mention that I am privileged to know Gord Bennett, vice-president of the Korea Veterans association, Unit 13, Cambridge. Mr Bennett is also the chairman of memorials and cenotaphs. In 1987, Gord, as parade marshal, very kindly invited me to attend a couple of very impressive services in my riding in the villages of Elora and Arthur, and also Salem in the township of Nichol. The Royal Canadian Legion's branches 229, Elora; and 226, Arthur, paraded with the Korea veterans to their respective cenotaphs, and on each occasion I was proud and honoured to be involved in the rededication of the memorials to pay tribute to our fallen comrades of the Korean War as well, of course,

as to honour our Great World War fallen comrades. I was very pleased to march with these fine veterans and participate in a small way on these two very special occasions.

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I might also mention that a few years earlier, I also had the honour to participate in a similar service on Remembrance Day in Caledon East. On that occasion, the consul general from South Korea laid a wreath on behalf of his grateful country. Perhaps it would be of benefit for all of us to reflect on the history of that war and what might have been because of the very volatile world scene at that time. Many of the members were not born at that time, perhaps including you, Mr Speaker, so they will not have the benefit of their memory but will have to rely on history books.

I would like to just make reference to an article from one of the historical publications of the time.

"On June 25, 1950, the North Koreans, on the prompting of the Soviet Union, unleashed a carefully planned attack across the 38th parallel. This was apparently done without the advance knowledge of the Chinese. The United Nations Security Council met in emergency session and passed a resolution calling for the assistance of all UN members in halting the North Korean invasion. On June 27, US president Harry S Truman, without asking Congress to declare war, ordered United States forces to come to the assistance of South Korea as part of the UN 'police action.'"

I might just suggest that since President Truman ordered American troops into action without approval of Congress, that is likely why it was a conflict and not a war. Congress never declared war. In the eyes of the Americans, it had to be a conflict. That is one of the main reasons our Korean veterans have had difficulty in receiving recognition for their engagement in a war and not a skirmish or a conflict.

After the start of hostilities on 25 June, the North Korean army advanced rapidly into South Korea.

The "South Korean Army was completely defeated, and the four ill-equipped American divisions that had been rushed into the battle were driven all the way back across the peninsula to a small beachhead covering the approaches to Pusan. Then on September 15, troops commanded by Douglas MacArthur made a daring amphibious landing at Inch'ön.... This brilliant manoeuvre succeeded in cutting the North Korean lines; the North Korean Army was totally

shattered, and over 125,000 prisoners were captured by the Allies.

"As the Allied forces now advanced back to the 38th parallel, the Chinese warned that the presence of UN forces in North Korea would be unacceptable to the security of the Chinese People's Republic and would force the Chinese to intervene in the war. UN forces, however, ignored the warnings and advanced into North Korea with the expressed intention of unifying the country.

"On November 24, MacArthur announced his 'home by Christmas' offensive. The next day approximately 180,000 Chinese 'volunteers' entered the war, and, by December 15, Allied troops had been driven back to the 38th parallel. On December 31, 1950, the Communists began their second invasion of South Korea, but their attack soon faltered and the troop lines eventually stabilized along the 38th parallel.

"On April 11, 1951, President Truman relieved MacArthur as UN commander and as commander of the US forces in the Far East, because MacArthur openly urged a bombing of Chinese bases, an action which Truman's advisers felt was apt to bring the Soviets into the war."

On 10 July 1951, truce talks started; on 27 July 1953, an armistice was concluded.

There you have it, Mr Speaker. How close we came to total war with China and with the Soviet Union. What if General Douglas MacArthur, commander-in-chief, United Nation Forces in Korea, had withstood President Truman's orders? What if China had been bombed? What then? The Third World War? Atomic war? We will never know, but we know it was close.

And so, may I say in conclusion that to support this resolution calling upon our federal government to strike a distinctive Canadian voluntary Korean service medal to be awarded to those Canadians who served in this historic war is the least we can do to pay our respects to these valiant veterans, and we should urge the federal government to accept the intent of this well-thought-out resolution by the member for Cambridge (Mr Farnan).

We, as members of this assembly, must always be aware of the needs of our veterans of all wars and serve them to the best of our ability, as they have served us so well in the past.

Mr Keyes: As an associate member of Branch 9 of the Royal Canadian Legion in Kingston, I am pleased to rise in support of the resolution just proposed by my colleague the member for Cambridge and also supported by the member for

Wellington: "That in the opinion of this House, the government of Canada should strike a distinctive Canadian Volunteer Korean Service Medal to be awarded to those Canadians who served in the Korean war—25th of June, 1950 to 27th of July, 1953." In fact, it is particularly timely to address this issue, since next year, 1990, marks the 40th anniversary of the beginning of the Korean war, an appropriate time, therefore, to officially honour those Canadians who fought in that war.

Before addressing the specific issues concerning a Canadian Korean volunteer service medal, I would like to just go back in history and take a brief look at this whole history of medal giving. All of us are familiar with famous military medals around the world, particularly the Victoria Cross, for an example, which is the Commonwealth's highest military decoration for bravery. Established by Queen Victoria in 1856 during the Crimean War, it was first presented to a Canadian, Lieutenant Alexander Dunn, for his service with the British army during the Charge of the Light Brigade at the Battle of Balaclava during the Crimean War. Since that time, some 91 Canadians have received this award, and this total includes at least 20 native Ontarians.

Probably the most famous Canadian recipient of the Victoria Cross was the First World War flying ace Billy Bishop, who received the award in 1917. Of course, we are all familiar with the fact that the Canadian War Museum in Ottawa just recently acquired an original Victoria Cross medal at considerable cost, thanks to donations from the private sector or an originally presented medal to a Canada.

And of course, we all are aware of two other world-famous military medals, one from France, the Croix de Guerre, which was established in 1915 and which has been presented to more than 900 Canadians since that time; and the US Medal of Honor or congressional Medal of Honor, the foremost US military decoration, which was established in 1861.

In Canada, we have had a long history of awarding medals, not only for military distinction, honour and bravery but also for civilian bravery and recognition of outstanding contribution to Canadian society. I will just review the highlights of some of those for members.

The Order of Canada was established in the centennial of Confederation, 1 July 1967. Since this order has been established, over 1,800 Canadian men and women have received one of the three levels of award: member, officer, companion. "Recipients have included heroes,

artists, engineers, nurses, village tradesmen, philanthropists, tycoons—even a man who saved the trumpeter swan," as reported in the January 1989 issue of the *Toronto Star*, namely, Honest Ed Mirvish—Alan Eagleson, George Hees and skater Brian Orser.

On a more local note for the city of Kingston, I was present last month when the great Canadian artist André Biéler, at age 92, received the Order of Canada in bed in the Hotel Dieu Hospital, one of the few ceremonies provided outside of Rideau Hall.

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The Order of Ontario was established by this government on 15 May 1986 to "recognize those persons who have rendered service of the greatest distinction and of singular excellence in any field of endeavour benefitting society in Ontario or elsewhere;" recipients such as Morley Callahan, June Callwood, Dr Polanyi and the former Lieutenant Governor Pauline McGibbon.

The Ontario Medal for Good Citizenship, established in June 1973, was created also "as a means of affording recognition and tribute to citizens whose selflessness, humanity and kindness make this a better province in which to live."

Canada has also established several military awards since Confederation. Because of our close ties to Great Britain, however, most early Canadian military service medals were issued in the United Kingdom. In fact, we only issued three service medals of our own prior to 1971: in 1885 the Northeast Canada Medal for those who fought against the Riel rebellion; in 1899 the Canada General Service Medal for those who fought against the Fenian raids, and in 1945 the Canada Volunteer Service Medal for all those who volunteered for military service during the Second World War.

I would like now to turn members' attention to the Korean War and specifically to the fact that there never has been an official Canadian government medal issued to veterans of this war, known in fact as Canada's last fighting war. Canada's fighting veterans—although we as a country, as we know, did not declare war—were really fulfilling our United Nation's obligations.

Initially, Canada contributed three destroyers and an air transport squadron. On 7 August 1950 the late Prime Minister Louis St Laurent announced that rearmament measures and plans for a Canadian army special force would carry out Canada's UN obligations throughout the world. Thus, in December 1950 the 2nd Battalion of the Princess Patricia's Canadian Light Infantry

landed in Korea, followed by the Canadian Army Special Force the following May.

Canadian troops in Korea fought on rough terrain and in an unfamiliar environment. The UN forces established a stable front near the 38th parallel, which was the mission to which they were assigned, and until the war ended on the 27 July 1953, the fighting took place along this line. Canadians distinguished themselves, particularly in a major engagement at Kap'Yŏng in April 1951.

As has been mentioned today by both speakers, over 25,000 Canadians fought in Korea during the war—22,000 army, 3,600 navy. A total of 516 Canadians died for the cause of peace in Korea, and 312 of those were killed in action during the war itself. Others died from various causes in training, in transit or in the war theatre.

Between 1950 and 1956, over 1,200 Canadian servicemen were wounded or injured during the Korean War. By all accounts, Canadians performed admirably and yet it is still called "Canada's forgotten war." We have a book by that title, and a video as well.

People have said there have been enough medals and pins awarded for Korean veterans. The Korea Medal, known as the Commonwealth Medal in 1950, was awarded to all those forces which took part in the operation between 1950 and 1953. Our issue, worn by one member of this House, was in silver.

Also, the United Nations Korea Medal of 1950 was awarded to those who served with the UN forces during the Korean War. The Ambassador of Peace Medal in 1978 was awarded through the Korean government and issued by the Korean veterans association of Seoul, Korea. Since 1978, approximately 700 veterans have returned to Korea to receive their medals.

In 1987, the government of Canada lapel pin for voluntary Korean service was issued by the government to all who served in the Korean War in response to a lobbying effort by veterans for such a medal, yet we have never struck a distinctive Canadian medal.

Therefore, there are four specific reasons:

The Canadian government has not recognized it officially through a voluntary service medal such as the one given to veterans after the Second World War. It is only recognized through the lapel pin.

Unlike the Second World War, there was no Canadian honour bestowed on Korean veterans when they came home. After the Second World War, veterans were treated as heroes. After the Korean War, veterans had the impression that no

one knew or cared about what they had been doing. They felt, and still feel, forgotten.

Korean War veterans are not the same as other Canadian forces since 1953, when people used the argument that any serving veteran should now be given such a medal. The Korean War veterans are Canada's last fighting veterans and should be recognized.

Again, as I said in the beginning, next year is the 40th anniversary of the beginning of the Korean War, a fitting time for the Canadian government to make amends for past oversight and officially welcome with a medal all those who served in that war. I urge all members of the House to be present to vote in favour of the resolution that has been proposed by the member for Cambridge, "That in the opinion of this House, the government of Canada should strike a distinctive Canadian Volunteer Service Medal to be awarded to those Canadians who served in the Korean War—25th of June, 1950 to 27th of July, 1953." We will remember them.

Mr Mackenzie: I too would like to rise in support of the resolution by my colleague the member for Cambridge, that the government of Canada should strike a distinctive Canadian Volunteer Korean Service Medal to be awarded to those Canadians who served in the Korean War. It has been a long-standing tradition in Canadian history to award service medals to those men and women who, during the course of a war, served their country with distinction, and yet no such medal has ever been awarded to the veterans of the Korean War.

I am convinced that this is simply an oversight on the part of the federal government—at least I hope it is just an oversight—and thus I rise to remind members of the important contribution made by Canadian men and women as they fought for the United Nations and for the principle of collective security in our world.

December 1950, the 2nd Battalion of the Princess Patricia's Canadian Light Infantry landed in Korea, followed in May of that year by the Canadian Army Special Force. They were ready to carry out Canada's obligations to the United Nations. They fought on rough terrain and in an unfamiliar environment, as has been already stated, but none the less distinguished themselves, particularly in the major engagement at Kap'Yŏng on 23 April 1951.

The 27th British Commonwealth Infantry Brigade was ordered to protect the withdrawal through Kap'Yŏng R valley of the South Korean division, which had been dislodged by a major Chinese offensive. The 2nd Battalion, Princess

Patricia's Canadian Light Infantry, and the 3rd Battalion of the Royal Australian Regiment, were assigned forward hilltop positions in that engagement. The Canadians were to be on the west side of the valley and the Australians on the east.

The Australians bore the brunt of the initial attack and were forced to retreat, with 155 casualties, late 24 April. The Chinese then turned their attention to the Princess Patricia's Canadian Light Infantry, which managed in heavy, all-night fighting on 24 and 25 April, to stop the advance of the Chinese troupes. Canadian casualties in that particular battle were 10 killed and 23 wounded. This particular battle contributed significantly to the defeat of the general Chinese offensive. Indeed, the Canadian soldiers distinguished themselves to the point that even the American government awarded them with distinguished unit citations.

In light of such an important contribution by the Canadian Armed Forces, I ask every member of this House, has the time not come for Canadians to recognize the achievements and sacrifices made by their fellow Canadians on behalf of their country? I suggest that the answer to this ought to be a resounding yes, and therefore I do urge support of the resolution by my colleague in support of striking a distinctive Canadian Volunteer Korean Service Medal.

Mr Eakins: I would like, first of all, to commend my honourable colleague the member for Cambridge for introducing this very fine resolution and giving us an opportunity to rise and speak in support and urge the federal government to strike a distinctive recognition of those who served during the Korean War.

I am pleased to speak today, to rise in my place and speak as one who had the opportunity to volunteer and serve with the Royal Canadian Air Force from 1943 to 1945, and I speak today as a proud member of the Royal Canadian Legion, Branch 67, in Lindsay.

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I want to say that whether it is the First World War or the Second World War or the Korean War, Canadians volunteered their service in defence of freedom and the way of life that we enjoy today. This recognition is long overdue for quite some time. I prayed to the cenotaph in my community on 11 November, and I am always proud to see that the cenotaph there recognizes the service of those who served during the Korean War. From a personal standpoint, I am very proud to have in my possession the CVSM, the Canadian Volunteer Service Medal for the

Second World War, and I think it is only appropriate that we recognize those who also served during the Korean War.

It is interesting to note that we have in our assembly one who served with the United Nations in Korea in the years 1953 and 1954, and that is the honourable member for Carleton East (Mr Morin), Minister without Portfolio responsible for senior citizens' affairs in this government. He was a member of the Van Doos and held the rank of second lieutenant. My colleague, at the tender age of 22, was a platoon commander for the 3rd Battalion of the Van Doos, and he has very fond memories of his regiment and his battalion.

But we must not only honour those who served and make sure that we keep the memory alive of those who served and gave their all; we also have a responsibility to do everything within our power to promote friendship and understanding throughout the world. We have a responsibility to be windows to the world in this understanding.

At the close of the Second World War, I believe it was General Eisenhower who said, "We have learned to win the war, but we have never learned to win the peace." It was he who suggested that communities throughout the world should become sister cities in order to get to know each other, in order to keep the peace.

I am pleased to say that the community I represent, and I had the privilege of serving as the mayor of that community, the town of Lindsay twinned with the city of Nayoro, Hokkaido, Japan. I believe we were the second in Ontario to twin with a Japanese city and I think we were the seventh in Canada. Today there are some eight communities in Ontario twinned with Japanese communities alone, and some 32 in Canada. So I believe that many of our communities today are taking up the challenge of keeping alive the spirit of friendship and understanding.

I am pleased, in these very short moments, to rise and to congratulate the member for Cambridge for introducing this resolution, for giving my colleagues and myself an opportunity to rise in support and to urge the federal government, with the 40th anniversary fast approaching, to provide a distinctive recognition to those who served during the Korean War.

Mr Kormos: My colleague and indeed good friend the member for Cambridge illustrates once again why I am so proud to share a role in the opposition with him. He shows insight and sensitivity and leadership in bringing this motion before this Legislature this morning

I, of course, support this resolution enthusiastically and, quite frankly, sincerely. In the communities that I have the honour and privilege of representing, Welland and Thorold in the Niagara Peninsula, we have strong legion branches. In the area of the Niagara region, we have strong Canadian corps units that serve the community well and serve their memberships well. Among those memberships are some of the 21,940 Canadians who served in the army in Korea and some 3,600 naval personnel. We are blessed to have persons in our communities, and certainly in Welland and Thorold, who remember perhaps too vividly—who regretfully remember too vividly—the horrors of warfare as a result of their own participation in the Korean War.

December 1950 was when the second battalion of the Princess Patricia's Canadian Light Infantry landed in Korea, and in May of the following year the Canadian Army Special Force arrived to supplement its contribution. As a result of the courageous and valiant participation by these Canadian military personnel in Korea, the threat, the potential—and others who spoke about this this morning have already spoken of that—the real fear that existed at the time of yet a third world war was averted.

The Canadian participation in this United Nations peacekeeping role and support for South Korea was an action that was supported by the Co-operative Commonwealth Federation here in Canada, the predecessors, the fathers and mothers of the New Democratic Party, and supported enthusiastically. Indeed, it was at their urging, among other things, that the Canadian government finally relented and agreed to participate in this call by the United Nations.

There were indeed sacrifices. Eleven officers and 300 others died, left their lives in Korea. Let's remember they were young people, many of them but teenagers. They never came back to see the Canada of the 1950s, of the 1960s or indeed of the 1980s. They never came back to see their children grow into adults and to see the course of events as we have seen them unfold here in Canada. So over 300 young Canadians left their lives behind in Korea, again a sacrifice that is unparalleled, and some 1,200 others were wounded or injured.

From all sources to which I have referred, one gleans the basic fact that the Canadians performed outstandingly, indeed admirably, among other places in a major engagement at Kap'yŏng in April 1951. It is not just regrettable but thoroughly unacceptable that our federal government cannot see fit to honour these persons who

so fearlessly were prepared to give so much for the sake of a freedom that we enjoy so thoroughly today.

I join with the member for Cambridge, compliment him and thank him for his leadership in producing and presenting this resolution to the Legislature today. I am confident that there is not a single member of this Legislature who would not follow the leadership provided by my colleague the member for Cambridge and indeed support this timely and most appropriate resolution.

Mr J. M. Johnson: Mr Speaker, I do not intend to speak again but the member for Mississauga South (Mrs Marland) had intended to speak and support the resolution. She is tied up in committee. With the consent of the members of the House, I would like to see our two or three minutes' time remaining go to the sponsor of the resolution.

The Acting Speaker (Mr Cureatz): The honourable member has asked for unanimous consent for the third party's time to go to the member presenting the resolution.

Agreed to.

1050

Mr Farnan: I thank my colleague the member for Wellington (Mr J. M. Johnson).

I was born in Ireland and, of course, born during the war so I have no experience of what war was like. However, we had quite a number of people living in our household—there were 13 besides my mom and dad—and I did share a bedroom with three brothers and my uncle, Uncle Denny.

Uncle Denny was my mother's brother who had served during the Second World War. He had gone to war as a young man and after the war came back to live with our family as my grandparents had died. We could never talk to Uncle Denny about the war. He would never speak about it and whenever we attempted to ask him about it, he would have his own way of ending the conversation. We knew he did not want to speak about it.

However, I can tell members that one of the most vivid memories of my childhood was my Uncle Denny waking up in the middle of the night screaming. He would be sweating, nervous, anxious, his knees closely tight into his chest and his hands up around his head. My brothers Des and Jim and I would comfort him and bring him back to the reality of our home, of his home. He never had to tell us much about the

war. Somehow or other, these incidents had the most profound effect on us, the horrors of war.

It is not just those who volunteered and died who are the heroes of war. It is every single young man and woman who for the cause of peace and freedom and security put his or her life on the line. I think that is what we are talking about today.

We are talking about a significant number, over 25,000 young men and women, who in the cause of peace and freedom, volunteered to serve in Korea, and the reason they volunteered for Korea was exactly the same reason that young men and women volunteered to serve in the First World War and the Second World War.

They had the same call and they responded in the same generous and magnificent way. They provided the same service so amply described by my colleague the member for Hamilton East (Mr Mackenzie). Surely they deserve the same recognition and the same honour.

One of the most universally respected ministers of veterans affairs is the Honourable George Hees. Any veteran I have spoken to holds this minister in the absolute highest respect. I venture to say to the members of this House that Mr Hees has been arguing the case for Korea veterans to receive the proper recognition, the recognition of a distinctive Canadian medal, and he has been arguing this case in cabinet. If there is any possibility at all that Korea vets will be recognized, I think it will be under the leadership of George Hees as the federal Minister of Veterans Affairs.

Next year, marking the 40th anniversary of the outbreak of the Korean War, would indeed be a most appropriate time for the government of Canada to make good on what has been a negligent and sad situation, the failure to recognize these men and women.

There have been two arguments that have been put forward. Perhaps they have been articulated by Mr Hees, but it is my belief that he simply is putting forward the position of the government and not his own personal view. The two arguments that have been put forward, as I said, were expressed in a letter to Ian Deans back in 1986, a letter of 15 January 1986.

One argument was that too much time has passed. That argument does not hold up. It was only last year that we recognized the injustice of the Canadian government to Japanese Canadians during the Second World War. A much longer period of time had passed before we recognized the injustice to Japanese Canadians and we attempted to rectify it. Now, 36 years have

passed since the end of the Korean War, 39 years since the beginning of the Korean War. It is time that we recognized the injustice and did what was right and proper by these Korea veterans.

The final point is that it would cost too much. I do not want to diminish the tone of this debate, because I want to say on behalf of the Conservative and Liberal members who spoke in the debate—and I want to commend all who spoke and contributed—that it has been a very high level of debate. But I look at today's clippings, Thursday 23 November, an article in the *Toronto Star*, and I find that a strip club in Ontario got a federal grant of \$500,000.

How on the one hand can we say to our Korea veterans, "It costs too much to recognize you and to strike a medal in your honour," when we have here, "Strip Club in Ontario Got Federal \$500,000"? It says, "This brings to three the number of strip clubs financed by the Federal Business Development Bank to the tune of about \$2 million." There is so much waste in the federal government that has been pointed out by the member for Kingston and The Islands (Mr Keyes), yet the federal government says to our Korea veterans, "We cannot recognize you honourably because indeed we do not have enough money."

I too have had the honour of being involved with the Royal Canadian Legion. I am an honorary member of Branch 121, an honour I received shortly after my election and one that I treasure highly. Perhaps what convinces me more than anything else about the correctness of honouring our Korea veterans is the view that is taken by the veterans of the Second World War themselves.

When I speak to the veterans of the Second World War, they hold in the highest esteem the veterans of the Korean War. When they sit down and get together as friends and have their recollections and sharing of friendship and experiences, the stories are the same: the carnage of their fallen comrades, the disabilities they have to carry through life, the nightmares they have. They had the same separation from home and loved ones. My friends, the experience is the same. The only thing that is different is the recognition and the honour.

As it appears this resolution will be unanimous, Mr Speaker, I hope you will undertake on behalf of this House to forward the resolution to the federal government. It is my intention to lobby all provincial and territorial governments to pass similar resolutions. It is my dear hope that with resolutions passed from coast to coast there

will be a clear, strong and very vigorous message the government of Canada will accept and that for this coming year, the 40th anniversary of the Korean War, it will pass and bring into legislation a special medal, a Canada Volunteer Korean Service Medal. Our Korean vets deserve it. They are Canadians and they deserve a Canadian medal.

1100

HEALTH CARE

Mr Eves moved resolution 26:

That, in the opinion of this House, recognizing the shortages of health manpower in certain health care sectors in this province, including nurses, physician specialists, technologists and technicians, and the shortages in all types of health professions in northern Ontario, and recognizing that there is no effective means presently available to monitor the province-wide supply of health professionals, and recognizing that government and all health care professionals should work co-operatively to remedy these shortages and to identify the short-term and long-term needs for the supply of health manpower; the government of Ontario should support the establishment and funding of an independent Health Manpower Planning Institute with representatives of the health care professions, the Ministry of Colleges and Universities and the Ministry of Health to plan for the future health manpower needs of the province.

Mr Eves: My reason for making the motion and resolution here today is really pretty simple. I think we have seen over the past several months problems with respect to the area of health manpower supply and demand. I think it has become very evident throughout the province, especially in certain areas and in certain specialties, that there is the need for more co-operation and co-ordination of manpower planning among both the government and health professions.

The Registered Nurses' Association of Ontario recommended some time ago, in February of this year as a matter of fact, an independent institute for manpower planning, in its report on the nursing manpower shortage. This proposal envisioned membership in such an institute that would include representatives from all the regulated health professions, to be set out by the health professions legislation review, and from the Ministry of Health, the Ministry of Colleges and Universities and the Ministry of Education.

As I said, having received no commitment from the Ministry of Health to support its proposal, this past February the RAO went

ahead and held a meeting with interested representatives from the various professions and the provincial government.

Presently, manpower planning is fragmented with each health care profession having its own committee for planning, but these committees seldom, if ever, talk to each other and they exist in isolation from one another. Since the RAO's February 1989 meeting, the professions have come together. They now realize there is a need to establish some co-ordination with respect to health manpower planning. They have come to the conclusion that some sort of co-ordinating body is desperately needed.

The institute or co-ordinating body must determine how to define need for specific health care professions and help health professions determine where they fit into the overall health picture in Ontario. Interested professions to date include physiotherapists, psychologists, the Ontario Medical Association, occupational therapists and nurses, among others.

We have had many examples to prove that a more co-ordinated effort is needed in the health manpower field in the last several months. I think every member of the Legislature is probably aware of the nursing manpower shortage in Ontario. There were four separate studies, each of which came to remarkably similar, if in some cases not identical recommendations as to why we have a nursing shortage in Ontario and what could be done to alleviate it.

We only have to remember the problems we have had in the province's health care system, in particular with respect to intensive care unit nurses the huge backlogs we have had with respect to cardiovascular surgery and the problems we have had with neonatal care. Many of these are due primarily to a shortage of qualified nursing staff in those specialties.

We have seen the closing of some hospital beds, particularly in the Metropolitan Toronto area, some for budget reasons but some also, quite frankly, because there are not enough nursing specialists available to be able to conduct the procedures that have to be done. In the long run it is the people of Ontario who really suffer because they get put on a waiting list and cannot receive treatment when they need it.

We have also seen, in the last several months especially, a shortage of radiation therapists and technologists. We have gone through the experience of Princess Margaret Hospital, and unfortunately in other cancer treatment centres in southern Ontario as well, where we cannot fit all the patients that we need into our system, even

though the system perhaps would have the capacity to do it. Because of a shortage of radiotherapy technologists, we have had to start sending these patients to other centres in Ontario, or in some other cases even outside the province to other provinces, to Halifax and in some cases to the United States of America as well.

It is plain to see that we need a more co-operative, thoughtful approach as to our future needs in health manpower in the province. What I am suggesting here is anything but political. I ask members of the Legislature here this morning to treat this as a nonpartisan matter, because that is certainly the intent with which the resolution was drafted.

I am not going to stand here today and ask questions or talk about issues we talk about in question period or other debates. I think this issue rises above partisan politics and I really think the independent suggestion of the RNAO for a Health Manpower Planning Institute is a very valid one indeed.

According to Ministry of Health statistics, in northern Ontario there is one doctor for every 756 people. The World Health Organization says the ratio should be one doctor for every 600 people. According to the 1988 OMA report on recruitment and retention of health care professionals in northern Ontario, there is a shortage of physiotherapists, occupational therapists, chiroprodists, audiologists, mental health workers and nurses with psychiatric training.

Many of these shortages reflect province-wide shortages within these professions, but there are also many northern communities with vacancies for doctors and even general practitioners. In my own riding of Parry Sound, I can tell members that communities such as Powassan and South River have been agonizing over getting doctors and medical practitioners to come to their community for a long time.

I think the underserved area program of the Ministry of Health is a very valid program, but when we talk to many health care professionals, they indicate that although they too believe it is a good program, there is much more that can be done in the way of incentive and much more that can be done to try to achieve a proper ratio of medical practitioners for population.

The community of Burk's Falls in my riding has a very small hospital that originally was started by the Red Cross and is now run by the Huntsville District Memorial Hospital. They have a problem in that they have six physicians trying not only to staff the hospital, but also to cover a rather large area in terms of geography in

several communities representing approximately 15,000 people.

As members can see by the ratio the World Health Organization suggests, six physicians to cover a population of 15,000 people is not very suitable. Because of that, about a year ago Burk's Falls had to shut down its emergency department. I think the hospital itself is in danger of not continuing. This is just one small example in my own constituency. I am sure there are others especially from members who are from farther north in northern Ontario than I am. I am sure there are many other similar circumstances that exist throughout the north.

For generations, Ontario has also relied on immigrant physicians to fulfil its needs in the north, but new licensing requirements, both by the College of Physicians and Surgeons of Ontario and by the Royal College of Physicians and Surgeons of Canada generally throughout the country, have virtually cut off this source without compensating increases in the domestic supply of physicians.

I think a good example of this problem was the problem with respect to the cancer treatment centre in Sudbury, which I and other members raised in the Legislature a few months ago. Last May, the Sudbury cancer treatment centre lost one of its five specialists who returned to Britain after futile attempts to gain recognition as a cancer specialist in Canada. We also know the example of Dr Ho, who we are trying to get accredited so that he could run the research division of the cancer treatment centre in Sudbury.

Two other British cancer specialists in the Thunder Bay regional cancer treatment centre face the same problem and may have to leave as well. There are only three other cancer specialists in Thunder Bay.

1110

Presently, there are only 12 psychiatrists serving the entire northwestern Ontario region that has a population base of 230,000 people. Only one of those 12 is a child psychiatrist. The recommended ratios for psychiatrists are one general practitioner psychiatrist for every 7,500 people in population and one child psychiatrist for every 35,000 population. These figures indicate that northwestern Ontario is currently short at least 18 psychiatrists, and it has only one child psychiatrist where it should have 12.

Rainy River has a population of in excess of 1,000 people. It has existed for over eight years now with one doctor. An American doctor, through the College of Physicians and Surgeons

of Ontario, sought to establish a practice a Rainy River for at least three years, but her attempt became so bogged down in red tape that she eventually gave up.

Last year, during fee negotiations with the Ontario Medical Association, the Ministry of Health indicated reports that said there were too many doctors in the province. The amazing fact is that nobody really knows how many doctors there are in the province. The ministry says there are 19,900. OHIP says it was billed by 17,245 in 1987. According to the Canada Year Book, there are 19,481. The College of Physicians and Surgeons of Ontario says that as of 5 November 1988 there were 24,750 registered doctors holding licences to practise in the province.

The OMA does not agree with the government's statistic that there is one doctor for every 470 patients. They claim that stat includes doctors who do not practise medicine, such as the Deputy Minister of Health himself, Dr Barkin.

In the past 10 years Ministry of Health figures indicate that the number of doctors has increased by 22 per cent while the population has grown by only 5.7 per cent. However, other statistics do not agree with that.

I think this is another reason we have to have such an institute, so we can get to the bottom of these problems. I will defer the rest of my remarks until later.

Mr Grandmaître: I would like to congratulate the member for Parry Sound for bringing forward such a resolution. I think he is absolutely right by saying this is a nonpartisan issue and we would like to deal with this issue in a very civilized way.

I would like to remind the honourable member or members that this is not new. This has been thought of before. I suppose that is where the member picked this up or is trying to rekindle this idea. He is absolutely right, but at this time I would like to point out to the member what the government has done in the last three or four years, or in the last 24 months, and what we intend to do in the future to rectify the situation.

I agree with him that in this province many doctors are not practising. He gave a perfect example of the Deputy Minister of Health, who is not practising. I can tell the honourable member that maybe this is the reason so many lawyers are not practising; most of them are in this House as politicians. I did say I will would keep this discussion at a civilized level. I would like to continue to point out or amplify my reasons for not supporting the resolution.

The timing is not right for the establishment of a Health Manpower Planning Institute in Ontario at the moment. I would like to take this opportunity to give the members, first, some background, and second, the reasons the Ministry of Health does feel a new institute would serve us at this time.

Mr Pouliot: Frank Miclash, are you going to let this go by?

Mr Grandmaître: Ontario has been gathering health personnel statistics since 1977.

Mr Pouliot: Don't let him get away with that.

Mr Grandmaître: I said I would try to keep this discussion civilized, so maybe the member from Manitouwadge could keep his comments until I am—

The Acting Speaker (Mr Cureatz): We have a point of order, now that you have provoked him.

Mr Pouliot: On a point of order, Mr Speaker: By tradition and convention it is customary in this House that honourable members refer to other members by their riding and for the member's edification, with respect, it is the riding of Lake Nipigon.

The Acting Speaker: Now that we have had that interjection, I would like to remind all members, of course, that remarks are to be made through the chair.

Mr Grandmaître: Thank you for reminding me, Mr Speaker.

These were needed by planners attempting to determine how many health professionals are necessary for Ontario to provide the quality of care its citizens are accustomed to. May I remind members that quality care and quality services are words often spoken in this House. As the member for Parry Sound has pointed out, he agrees with quality care and quality services and I must say that he has provided the government with some of his knowledge about quality care. We take this opportunity to thank him, and to continue the work he has done as the critic for the Ministry of Health.

That is why, for example, the Ontario Physician Manpower Data Centre was established in 1977, to collect data on the physicians, medical interns and residents.

The Ministry of Health, of course, keeps records on health personnel. Unfortunately, they are not comprehensive because as pointed out by the member, not all groups or organizations in the health field provide accurate counts of personnel. The licensing bodies that govern physicians and nurses do, but the figures we have

are not good enough, I must point out, to provide a complete picture of who is in the field and where.

For instance, some of the problems in cardiovascular surgery that we have been experiencing are not due to shortages in the supply of surgeons, but rather a lack of health support staff. This problem could have been addressed if we had a better picture of our projected resource needs based on accurate data. However, unlike the doctors' and nurses' professional bodies, which keep tabs on their people, no one has been keeping counts on the many other health professionals. In this instance, it would have been very valuable to know the numbers of cardiovascular profusionists.

As the member opposite is aware, the government has undertaken the health professions legislation review, which will mean self-governance for 24 health professions in Ontario. We anticipate the new Health Professions Act will include a requirement for regulatory bodies to collect a standard set of information on their personnel. Once we have the numbers, we will be able to use them to draw up the planning that avoids shortage scenarios and personnel pitfalls.

There is also, I am sure members will be happy to learn, a review under way of the Ontario Physician Manpower Data Centre. We want to see if the government can learn from the centre's 12 years of operation whether its organizational structure can be applied to centres that would collect data on other health professions.

Recently, the Minister of Health (Mrs Caplan) announced a new project that is being undertaken in conjunction with the College of Nurses of Ontario. The CNO will conduct a manpower planning project to identify the college's role in addressing personnel issues related to the field of nursing.

It will also look into the future possibilities of how nursing will change. What new tasks will nurses be expected to perform? The CNO is also examining questions of jurisdiction and I am pleased to note that the government is negotiating with the College of Nurses of Ontario and the University of Waterloo on a major project that would result in a nursing data centre.

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Members can see that the first priority is to collect data on health care workers to know where we stand. The government is collecting data in other less specific areas, as well. For instance, the Ministry of Health is assessing manpower capabilities by disease categories in

the areas of cancer co-ordination, critical care and cardiovascular care.

It is no longer a matter of assuming that having a specific number of cardiovascular surgeons or oncologists ensures that the supply is sufficient, that by having X medical personnel we meet the needs of heart or cancer patients. These types of conditions require team efforts to provide the optimum quality of care. Therefore, we must assess how well our existing teams deal with their workloads.

Health care personnel needs are also being examined by geographical locations, as pointed out by the member for Parry Sound. At the moment, the Northern Health Human Resources Committee is looking at health manpower issues in that part of the province. Our district health councils, through an enhancement of their roles in the communities they serve, are also looking at the manpower needs of their respective districts. The ministry recognizes that there are unique requirements and unique situations in each area.

Both the district health councils and the Northern Health Human Resources Committee report to the Minister of Health. The information they provide will help us tailor-fit their manpower needs in the future.

All this is well enough, but specific health manpower planning has to fit into a bigger, broader picture. That is where the Premier's Council on Health Strategy comes in.

As the architect of the new vision of health for Ontario, the Premier's council has set up a subcommittee which deals specifically with health manpower issues. It is chaired by Roy Aitken, who brings to his role a wealth of experience and the added perspective of the private sector. Under his leadership, the health manpower subcommittee is looking at ways to integrate our planning structure and co-ordinate our planning.

Those sitting on the subcommittee also provide a great deal of expertise, representing the health care provider community, the business community, district health councils and the community at large.

I believe it would be untimely to establish a health manpower planning institute in Ontario when all of this work is already going on. I am not saying that such an idea is unthinkable. The Premier's council may well decide such an institute is just what we need.

Now that I have given my reasons why we will not consider the member's resolution this morning, we will continue to, as he pointed out, co-ordinate and co-operate with professions in all

categories. I can assure members that the government, the Ministry of Health, is very much aware of the pitfalls, the shortages, but we would like to point out that the government is serious about resolving the situation.

Mr Pouliot: I take some pride, although obviously to no avail, in supporting the resolution of the member for Parry Sound. I have, over the past five years, come to respect a great deal the propositions put forward by the member. He knows what he is putting forth. His heart is inevitably always in the right place. He has a social conscience, is most reasonable, and I think his resolution, his private member's ballot presentation, reflects that for it is most civilized, the least that a member of this House could ask for when it comes to recognizing an essential service.

On the other hand, one can only be appalled and shocked by the repetitive argument and refusal from the government to recognize what is an acute need up north, what is a critical shortage. To have the parliamentary assistant to the Minister of Health, a person who is intelligent and educated, stand in his place in this House and—it is nothing short of this—attack the people of the north and try to make them believe that the government of Ontario is working on their shortages is nothing short of incorrect.

Last Saturday, for instance, in the community of Terrace Bay, located some 800 miles north of the greater Toronto area, I met with Reeve Jim Ziegler of the township of Terrace Bay; Reeve Michael Cosgrove, township of Schreiber; Reeve Gerald Brennan, township of Nipigon; Reeve Douglas Mowat, township of Red Rock; Mayor Malcolm Rogers of Geraldton; Reeve Roger Beauvais, Nakina; Reeve Silvio Cortolezzis, Manitouwadge; Reeve Ollie Chapman, White River, and the chairmen of the hospital boards of Terrace Bay, Geraldton and Marathon.

The reason for the meeting contradicts in its entirety what the parliamentary assistant has been saying. I quote from the telegram sent on 20 November, three days ago, to the Minister of Health:

"Dear Madam Minister:

"We are urgently requesting a meeting with you to discuss the critical shortage of physicians in the hospitals on the North Shore of Lake Superior."

They want to be paid the compliment of an audience with her grace. They want to tell the minister that the programs of recruiting and retaining medical specialists in the north are simply not working. They come well armed; they

are well experienced. They have been facing this dilemma for decades.

They are proposing to the minister that a northern medical school should be established in northern Ontario. At present, we have five medical schools in Ontario. Ironically, or not so ironically, they are all located in the south. Statistics prove that people tend to practise in or near the community in which they were trained; it makes a lot of sense. What we are asking for is one part of the faculty, and not necessarily the whole course—for doctors, for instance, say the first two years or the last two years—so that the students would have a chance to appreciate the climatic conditions, become familiar with the medical needs of northerners and become familiar with the geographic location and the mentality of people in the north.

We are asking, because it is a crisis, that the government of Ontario, in co-operation with the feds, the departments of immigration and external affairs, immediately reinstate the foreign doctors program to address, on a short-term basis, the critical shortage of doctors in the north. Those people who are qualified in England, Wales, Scotland, Ireland, among others, who have all the qualifications to dispense that essential service in southern Ontario, should be invited to come to northern communities, to remote and isolated communities, to provide that service.

My, my, the government has done it for miners, foresters, electricians, bricklayers, die-makers, but when it comes to doctors, there is nothing. I suspect it is the influence of the cartel, the monopoly, the College of Physicians and Surgeons of Ontario and the Ontario Medical Association, leaning on the parliamentary assistant and on the Minister of Health and convincing them that we do not have a shortage of medical specialists in Ontario but that what we have is a matter of distribution.

I do not believe this. I do not believe those statements. I think they are deliberate, they are systematic. If people could not make \$150,000 or \$250,000 in Toronto, the laws of economics would indicate that they should gravitate to the north. That is not happening. The doctors in Ontario are doing very well. It is not a matter of distribution; it is a matter of real shortage. We can address that shortage by measures that will work quickly short term and measures that will pay dividends long term.

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What about offering incentives to municipalities in the event that they would be so fortunate as

whether they will be able to retain those people. The problems are twofold. What about incentives to municipalities for recruitment? Where will she or he, the doctor, stay? They want housing. Those small municipalities do not have the tax base to provide shelter. They do not have the money. They need incentives. What about incentives for recruitment so that the townships of Marathon, Manitowadge and Terrace Bay can exchange lists of candidates, people in the third year or fourth year of medical school, with the township of Kenora? Why can we not? Because we do not have the resources to do it and because the government refuses to say, "This needs to be done."

I find it most difficult that a person who is educated, a person who has a social conscience, a person who should know better, would stand in this House, be the spokesman of the majority party, and adopt the policy of the ostrich, completely refusing to accept the statements of people in the field, doctors, workers, sociologists, nurses, unanimously saying, "We do not have enough specialists." He talks of one more study. All they are doing is buying time. They are not sincere in rectifying the problems. They do not want to deal with the nuts and bolts.

I was at Lakehead Psychiatric Hospital for my second visit about a month or six weeks ago. There is a 237-bed hospital; it should have the services of 11 psychiatrists. It has one. Of course the person is a chief of staff; he is the main paper pusher. So if you are a patient, inpatient or outpatient, you are not going to see anyone. My colleague the member for Parry Sound has illustrated better than perhaps anyone can do in this House that Dr Kevin Nugent is the only child psychiatrist for a population base of 230,000.

Everybody will say: "This does not make any sense. We do not have enough people." This man from Parry Sound wants to address that problem. He wants to address it because his constituents are telling him that this is a critical shortage, not because he fancies that it is his turn for a private member's bill and he needs something to talk about. He knew all along. He wants to help people with the right tools. Yet that man on the other side refuses to believe what the people of the north unanimously, regardless of political affiliation or stripes, have been telling him. I want him to be well, I want his help to be well, very well, and may he never have to experience the dilemma, the impasse, that the people of the north are enduring on a daily basis simply

because, above all, there is a lack of political will, nothing short of this.

Most of the problems could be addressed expeditiously, on a short-term basis, but the government has to say to some of its friends: "You cannot have it all. You cannot practise in Toronto. You should do well, and that is okay; it costs \$450,000 or more to bring one doctor to graduation, but that is okay. The taxpayers will dig in the left pocket and in the right pocket and make sure that you get an education, for they know that you are helping them. You are providing an essential service." What about the social responsibility? What about reciprocity? I do not mind paying as a taxpayer, but I want service. I will even put doctors as a society on a pedestal and treat them as gurus. Some people in a weak moment may even mention the name of Gandhi, *en passant*, in passing.

I am going to tell my friend, he should stay down south, because every venue, every intersection, once he gets past the rows of condominiums—and the parliamentary assistant knows what I am talking about—he should come up north and ask people in the municipalities, "How do you like it up north?" They will say: "We chose to be here. We like it a lot." "What scares you the most?" and they will say they fear for their young people, for the toddlers, for the elderly, their mothers and fathers, because of the lack of medical services: "As I am getting older, I am not so sure. I want to preserve my dignity, but I want to do it with the services that you are taking for granted."

Mr Grandmaître: You can't be serious.

Mr Pouliot: The member shouts, "You can't be serious." Jim Ziegler of the township of Terrace Bay is serious; so are Michael Cosgrove and Gerald Brennan; they represent their people and they are deadly serious. They wonder about the minister's seriousness. It is appalling and shocking that the most essential of services for the people who contribute so much to the economy are not being provided by this government, with its huge majority, when it has an opportunity to do so, more so because of the wealth that has been experienced since 1982. The economy has been upscale. We have all benefited. Why not put a few real dollars—I am not talking about nickels and dimes here—to address what is really a black eye, what is a dismal performance on the part of the government?

Most members here do not enjoy getting up at their posts and dumping on the government, not on private members' bills. This is supposed to be nonpartisan. But how can you not be emotional

when the mail pours in by the metre, a foot, two feet high, month after month, regarding health problems: "What am I going to do to get to Thunder Bay? I was diagnosed as having X." "Doctor, is this cancer?" He said: "Yes, but we are going to fix it. You need therapy, but you are going to have to wait six months. Your treatment should have started yesterday." If you have some money, you can go to Minnesota. That is a northern state. They have addressed the problem a lot better than we have. So has Finland.

The parliamentary assistant has just returned. He could not stand in shame of the performance from his boss, having received his marching orders. I can understand that. I respect the fact that at least it penetrates.

I go back to the resolution, which is most palatable. This is the easiest thing in the world to do, to say, "Yes, Mr Eves, we as civilized people will address the number one problem in our society, our number one concern, the ultimate gift of health." This is not sending someone to the moon, this is not subsidizing a company, this is people who are talking to the minister and she has said no to them.

I want to congratulate the member for Parry Sound because he has said yes.

Mr McLean: I welcome the opportunity to say a few words in support of this resolution from the member for Parry Sound, which I believe should be read into the record at least one more time. This resolution reads as follows:

"That, in the opinion of this House, recognizing the shortages of health manpower in certain health care sectors in this province, including nurses, physician specialists, technologists and technicians, and the shortages in all types of health professionals in northern Ontario, and recognizing that there is no effective means presently available to monitor the province-wide supply of health professionals, and recognizing that government and all health care professions should work co-operatively to remedy these shortages and to identify the short-term and long-term needs for the supply of health manpower; the government of Ontario should support the establishment and funding of an independent Health Manpower Planning Institute with representatives of the health care professions, the Ministry of Colleges and Universities and the Ministry of Health to plan the future health manpower needs of the province."

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It is a very well worded resolution and one, I think, that should be supported by all parties.

The Minister of Health and her government have no choice but to agree with this resolution. It has been proven quite categorically that there is a health care crisis in Ontario, and we know there is a shortage of hospitals. We know we need more acute care and chronic care beds in Ontario as our population continues to age and bed space is at a premium. We also know there is a growing shortage of nurses, physician specialists, technologists and technicians.

I know there is a crying need for health manpower in certain health care sectors in the province of Ontario. The people of Simcoe East also know about this health care manpower shortage. The minister may ask, "How do they know this and what do they think the answer is to this growing shortage?"

Well, I can tell the minister that the people of Simcoe East know about this manpower shortage because they are unable to get the care and treatment they require, they are unable to get the care and treatment they have come to expect from what was once considered to be a world-class health care system, they are unable to get the care and treatment they deserve.

The Minister of Health may wonder what my constituents think is the answer to this manpower shortage, and I am going to help her out by giving her the answer. Actually, all she has to do is to read this resolution again and the answer is right there before her in black and white. Her government should support the establishment and funding of an independent health manpower planning institute with representatives of the health care professions, the Ministry of Colleges and Universities and her own Ministry of Health. That is the answer and that is what my constituents are telling me. I am certainly listening to them and I think the minister should be too.

My time is limited so I would like to focus on the nursing shortage, because that is what my constituents are most familiar with and because nurses are highly visible in the front lines of Ontario's health care delivery system. I understand that 35 per cent of trained nurses work part-time, another seven per cent work only on a casual basis and another 18 per cent of trained nurses have left their chosen profession because of low pay, stress and long hours. According to Ontario Nurses' Association statistics, 45.9 per cent of its 1987 membership is working part-time; this compares to only 28 per cent in 1973.

Ontario requires at least 1,143 more nurses, and of that number more than 800 of them are needed in Metropolitan Toronto. But in small-

town Ontario there does not appear to be a shortage of nurses. It is in the large urban areas where the problem is, where the higher cost of living is.

Many of our nurses have been attracted to hospital jobs in the United States because of good working conditions, higher pay and hospital training programs that allow them to earn advanced degrees while they work. Right now in Ontario, if nurses want to take an upgrading course, they have to do so on their own time and without help from their employers.

The shortage of nursing manpower is affecting many hospitals, programs and services. I have provided the Minister of Health with many examples of people in my riding who have been faced with surgery delays and cancellations. Babies requiring intensive care have been flown out of the province and departments and beds have been closed as a result of health care manpower shortages. The shortage puts increased pressure on nurses and other hospital staff because they have to meet increasing demands with less manpower.

The Minister of Health has been aware that there is a problem in this area for several years. When my party was in power, we set up a nursing manpower advisory committee which reported to the minister's predecessor in the spring of 1987. The report, which was based on 1985 statistics, concluded that there would be a shortage of nursing manpower in the near future. The committee's work was virtually ignored by this government and the committee itself was temporarily put to sleep.

Two years ago, this Minister of Health revived the committee and it was asked to report on why trained nurses are choosing not to work in their profession and to make recommendations to solve the problem. The committee turned in its report and we still see nurses leaving their profession in droves or beating a path south of the border. It has been estimated that at least 6,000 of Ontario's 80,000 practising nurses will quit this honoured profession within 10 years of entering it. They have clearly had enough and they are voting with their feet.

This shortage has hit other areas of health care and I think the time has come for the government to establish and fund the independent health manpower planning institute that my colleague the member for Parry Sound is recommending. It is critically important that this institute has representation from the health care professions, the Ministry of Health and the Ministry of Colleges and Universities to ensure that the

future health manpower needs of the province of Ontario can be mapped out and met effectively and accurately.

I urge all members in this Legislature to support this resolution for the benefit of the people of Ontario and for the survival and benefit of this province's health care profession.

For many of us who are healthy, health care really does not seem important, but I have got to tell members that for those who are ill, for those people who are waiting to get knee operations, back operations, hip operations, heart transplants, heart surgery, until you are in that position, nobody really realizes how important the health care is.

Over the past few years, we have observed what has taken place in this province with regard to health care. Our critic, the member for Parry Sound, has been asking questions constantly with regard to the health care crisis in this province.

We had a \$30-million project approved on the day before the election in 1987 for a new addition in Orillia. The community went out and raised over \$6 million for its share of that facility. Where is it today on the books? The minister wants to talk in broad terms about how she is looking at the health profession and how it is going to be better, but I have got to tell members I find it unrewarding when I read the answers.

When I talk to people in Orillia, they ask me: "What is happening with our hospital? We're not getting any answers from this minister." This minister has abdicated her responsibilities to the people of this province. I can tell members that when the next election rolls around, I hope that the people of the province will not forget the minister of destruction of health in Ontario and the millions of people who have been involved and the people who are waiting today for operations and cannot get them because of the attitude of this Minister of Health.

Mr Miclash: In the few minutes that I have remaining, I would like to first of all say, as a member representing a northern community in this House, that I share the concern of the members opposite. It is one reason that I stand in the House today to fight for the rights of Ontario residents of northern, rural and remote communities.

For many different reasons health care professionals have chosen to work mainly in larger centres, cities rather than towns. Very few choose to work in the north. As a result, for many years we have experienced a shortage of doctors,

nurses, therapists, dentists and health care workers in the north.

The problem of access is not a new one and it is a problem that will not be solved overnight. The government has already put into place a good number of important incentives to attract health care workers to the north. May I just look at a few of those?

The underserviced area program, for instance, was established in 1969 to help many of our northern communities which are designated as underserviced places obtain medical and dental services. As well, we have many tax-free grants which are provided over four-year periods to family practitioners and dentists who come to the north and establish their practices in our underserviced areas. We have similar incentive programs which are also provided to other health care professionals.

1150

The Ministry of Health and the Ministry of Northern Development and Mines work together by providing bursaries to health care professionals, including some 130 Ontario residents each year, and for each year that they provide those bursaries the recipient agrees to practise in our underserviced areas for a year in return. As well, the ministry has recently announced a \$1.5-million bursary program for nursing students—that is, registered nurses and registered nursing assistants—who agree to work in areas designated as underserviced.

Besides providing provincial financial incentives, the government actively recruits health care professionals for the north. There are annual recruitment tours, which many of my people from the north have participated in, that have been very successful in recruiting doctors and other health care professionals to come up and serve with us in the north.

As well, there is a committee that is a co-ordinating body for manpower and planning activities, and it has many responsibilities, including the compiling of an inventory of health manpower across the north. It also identifies what resources are needed, including financial and personnel resources. It also develops recommendations and sets priorities for corrective action to get health care people into the north.

We are doing a great number of things for health care in the north, and we believe that the problems of health care manpower planning can only be solved at the community level because each community has its own unique needs and resources. Therefore, based on that fact and based on the fact of the many things that the

government is doing today, it would be imprudent at this time to duplicate the work being done by this important and timely committee that has been set up.

Mr Eves: It is a pleasure for me to be able to finish my remarks here this morning. I would like to put on the record, I suppose, that there are many shortages in health care professions throughout the province of Ontario. Physiotherapists, occupational therapists, speech pathologists—they are all experiencing shortages in addition to the ones I have mentioned here this morning, and so have other members of the Legislature participating in this debate.

All of these professions will be in increasing demand in the future, because of our ageing population and more chronic diseases. The proposal that we have introduced here this morning is one that I think has received the support of almost all health care professions. I believe it is a sound proposal in that planning for the effective delivery of all health care services has to be co-ordinated among educators, legislators and professionals, each in their own field.

This proposal was recommended by the Registered Nurses' Association of Ontario initially and also, by somewhat less of a coincidence, by the Hospital Council of Metropolitan Toronto and supported as well by the Council of Ontario Nursing Executives in a position paper on nursing manpower. I am not suggesting that this was my novel idea, but I do think it is a very worthwhile one and one that the government should act on. I would just like, for the purposes of getting it into the record, to read from the RNAO's proposal for its health manpower institute.

First of all, they point out that we have many problems in our society today with respect to health care, both with respect to oversupply and undersupply, and both of these result in and can lead to patient harm. Shortages can result in patient harm and unnecessary increases in patient costs. This is all because of the inability of government institutions or agencies to institute some sort of long-range planning with respect to our population. There is going to be a 55 per cent increase in the number of elderly people in our society over the next 10 years, and certain specialties, as I have already indicated, are definitely in short supply.

Scope of practice: The health professions legislation review reforms that are suggested now and in the future will impact on the scope of practice of all health care professions. Health economics force government to seek lower-cost

alternatives for delivery of services and there is a shift towards direct access to nonmedical health professions and the emergence of alternative funding mechanisms that will have a direct impact on manpower demands. There is also a big change in utilization patterns of health professions.

It is the RNAO's proposal to establish this independent institute for co-ordinated health manpower planning to develop a long-range human resource strategy based on the analysis of the professional labour market and health care economists in order to provide government with expert advice from health professionals in an independent co-ordinated manner.

The second step that the RNAO proposes is that each profession accept, reject or amend the report of the interprofessional steering committee. Then they have a very concrete proposal—all the ministry really has to do is follow it—for the proposed structure of such an institute. They propose that the board of directors would be composed of one representative from each participating health profession, that there would be an executive committee of eight representatives of health professions on a rotating basis, on one-, two- and three-year terms, and that associate members could include the Ontario Hospital Association, the Ministry of Health, the Ministry of Colleges and Universities, deans of medical schools, ALOHA, the federal Department of Employment and Immigration and so on.

They have even solved the problem for the ministry of where they are going to get the money to do this. They suggest several possible sources already in existence, such as the Premier's health innovation fund. The Ministry of Health, the Ministry of Skills Development, the Ministry of Colleges and Universities, professional associations, employer groups and colleges could all be asked to participate.

At last glance, I believe it is fair to comment that the health innovation fund announced by the Premier (Mr Peterson) some months ago has not spent nearly any of the money that was suggested or promised at that time. What more worthwhile purpose could there be than an independent health manpower planning institute?

In the parliamentary assistant's comments with respect to the proposal, we heard about steps that the ministry is taking with respect to—the example he gave, I believe, was the College of Nurses of Ontario and how the ministries co-operate with the college of nurses to address nurses' needs. We also heard a comment about the statistics that the medical profession has. I do

not disagree with any of those comments, except that I think it only further sheds light on my resolution and that proposed by the RNAO, and that is that the ministry is doing this with one profession at a time and there is no broad, overall, co-ordinated picture. I think that it is very important that we do have this broad, co-ordinated, overall picture.

The parliamentary assistant also mentioned the Premier's Council on Health Strategy. The Premier's health council has many things on its plate. I presume that the main function of the Premier's health council is to plan for the future policy of the government, but I think that one thing that this proposed institute has that the Premier's health council does not have—well, it has several things actually. First of all, it has independence, it has entire political independence. It would not be controlled by political people; it would be controlled by the people who work day to day in the trenches of our health care system. Who better to ask for future planning manpower needs and the future direction of what is required than the people who do it every day themselves?

I also think that we have the luxury of having the specialties all included in such an institute, which is not necessarily the case with the Premier's health council. I think the Premier's health council is perhaps too broad a body, it is too political a body and it is not independent enough. I feel very strongly, as do the RNAO and others, that this proposed planning manpower institute has to be independent from government. Government deserves and should have, no doubt, representation on such an institute, but I do not believe the government should control such an institute. That is the whole point of the proposal in the first place.

I really would again ask all members of the Legislature here this morning, regardless of their political stripe or what side of the House they sit on, to seriously consider supporting this resolution. I think it is one whose time has come, and unless we plan the future of our province's health care system effectively and with some foresight, we are going to end up in a day-to-day crisis situation as problems occur and react to them as opposed to planning for the future.

Again I would urge every member of the House here this morning to support this resolution.

1200

CANADIAN VOLUNTEER KOREAN SERVICE MEDAL

The Speaker: Mr Farnan has moved resolution 32.

Motion agreed to.

Mr Farnan: Mr Speaker, I have a request to make of you.

The Speaker: I presume it is on a point of order.

Mr Farnan: On a point of order, as you suggest, Mr Speaker: Given the unanimous support of the House for this motion, could I ask that you, on behalf of the House, forward this resolution to the federal government? I would appreciate that very much.

The Speaker: Well, it seems to be the wish of the House that the resolution is carried; therefore, I would be most happy to forward it.

1207

HEALTH CARE

The House divided on Mr Eves's motion of resolution 26, which was negatived on the following vote:

Ayes

Allen, Bryden, Charlton, Cousens, Elliot, Eves, Farnan, Faubert, Grier, Jackson, Johnson, J. M., Kormos, Laughren, Mackenzie, Marland, Martel, McCague, McLean, Morin-Strom, Philip, E., Pouliot, Wildman.

Nays

Ballinger, Cooke, D. R., Cordiano, Curling, Daigeler, Eakins, Epp, Fawcett, Furlong, Grandmaitre, Keyes, Kozyra, LeBourdais, Leone, Mahoney, McClelland, Miclash, Miller, Neumann, Nicholas, Nixon, J. B., Oddie Munro, Owen, Ray, M. C., Reycraft, Roberts, Ruprecht, Sola, Sullivan, Tatham.

Ayes 22; nays 30.

ROYAL ASSENT

The Speaker: I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Clerk Assistant and Clerk of Committees: The following are the titles of the bills to which His Honour has assented:

Bill 18, An Act to amend the Ontario Municipal Improvement Corporation Act;

Bill 20, An Act to provide for the Payment of Development Charges;

Bill 147, An Act respecting Independent Health Facilities.

The House recessed at 1210.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

MARGARET HUDACK, LEAH JINKS AND
CHARLES LYON

Mr Kormos: I want to talk about three outstanding members of the Welland-Thorold riding, specifically people who live in the city of Welland. On Friday 3 November just past, all three of these persons were in Ottawa where in recognition and as an acknowledgement of their years of contribution to the work of the Order of St John they were invested to their respective orders.

Margaret Hudack from Welland and Leah Jinks, another Wellander, were invested to the Order of Our Serving Sister of St John, and Charles Lyon, once again of Welland, was invested to the Order of Our Serving Brother of St John, all of them by the Vice-Prior of the Order of St John, and that is, of course, the Governor General, Jeanne Sauvé.

All of these people have long histories of service to their community. They are people who have given far more than they will ever take out. Their work is not limited to the work of the Order of St John, that is to say, St John Ambulance, but is impressed upon the community in a variety of areas and acknowledged by all in the city as being contributions far in excess of what any normal person could be expected to provide.

I congratulate them. I pay them tribute. I recognize their outstanding achievements and I know that the members of the Legislature here in the province of Ontario join me.

UKRAINIAN CATHOLIC CHURCH

Mr Jackson: I rise to draw attention to all members of this House to a singular historic event which will occur next week in Rome.

Next week, the world will witness a meeting between Pope John Paul II and the Premier of the Soviet Union, Mikhail Gorbachev, during which the Pope will formally ask Mr Gorbachev to legalize the underground Ukrainian Catholic Church which has been without rights to function publicly since 1946.

The Ukrainian church has reaped the fruits of its endurance of persecution and suffering. Today, it counts more than six million communicants. Ukrainian youth look to it for moral leadership in the struggle to regain Ukraine's

independent statehood, and even Russian Orthodox Churches with legal status are joining it en masse.

This Sunday 26 November has been declared a world-wide day of prayer and fasting so that God may so move the heart of the Soviet Premier as he moved the hearts of the Egyptian Pharaoh of old in response to the plea of Moses, which the Pope shall repeat next week on behalf of the Ukrainian Catholic Church, "Let my people go."

With their church free once again, the Ukrainian people will indeed receive great inner strength to hope and dream of that coming great day of their nation's political resurrection as a free republic.

May the loud ringing of our united voice exclaiming, "Our Father, Thy will be done," be heard by Premier Gorbachev when he arrives in Rome next week.

SUPERINTENDENT ROBERT GORDON

Mr Miclash: It gives me great pleasure to rise in the House to pay tribute to a very outstanding individual who has greatly contributed to the policing of this province and in particular to many small communities in my riding.

Superintendent Robert Gordon, a 31-year veteran with the Ontario Provincial Police, will be celebrating his retirement from the force tomorrow. It must be noted that Bob has moved through the ranks, from constable to corporal to sergeant to traffic sergeant to detective inspector with the criminal investigation branch and then on to superintendent, all in the district of Kenora.

Might I mention that Bob has chosen to take up a new job that will keep him in the Kenora area. We are very grateful for this as we will continue to benefit from the contributions made by him, his wife Marlene and their two children, Ryan and Bobbi Lynn, to our area.

The people of Red Lake, Emo, Vermilion Bay and Kenora—places in the district of Kenora in which Superintendent Gordon served—have asked me to have the House recognize this outstanding contribution of a great northerner.

I ask that my fellow members in the House today join me in recognizing this contribution that Superintendent Gordon has made, not only in Kenora, but across this great province of ours.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Allen: Family instability, child abuse and poverty are taking a terrible toll on children and

youth in Ontario. If a child becomes physically ill or disabled, there is a right to treatment, but if mental illness results from abuse, violence or neglect, there is no guarantee of treatment for Ontario children.

Children's mental health care services have become the lost orphan of Ontario's health and social services system. They have been shuffled between ministries, downgraded, ignored and underfunded. In 1982, there were some 2,000 children on waiting lists. Now the figure is 10,000 waiting for treatment. Such children are often shuffled off into residential care without active treatment. Tragedies like Krista Sepp result.

Shifted a decade ago from health to social services, centre staff have salaries that have fallen 20 per cent behind comparable health care professionals with disastrous results in staff turnover and recruitment. Yet, in the recent government salary top up for workers in community-based agencies, the children's health centres were completely ignored.

The government has to take a radical new look at its commitment to children's mental health and to children's welfare generally. The United Nations has advanced the declaration of rights of the child, but in David Peterson's Ontario the condition of childhood is in alarming decline.

GREY CUP

Mr Jackson: I am sure Lord Grey could not have imagined the future of the trophy he donated to a winning football team in 1909. Here we are 80 years later and the Grey Cup is an honoured Canadian tradition bringing east and west together in friendly, athletic rivalry.

Toronto is host to the Grey Cup game for the first time since 1982 and festivities for Grey Cup Week are already under way. We are delighted to welcome the teams, their fans and all the visitors to our city and to our province. This year the game takes place in the SkyDome, where players and spectators alike will be spared the caprices of bad weather. Think of it: No more mud bowl, no more snow bowl, no more fog-delayed games.

There have been suggestions about the demise of Canadian football, but I believe the league will survive and prosper. Look at the wonderful spirit of the Hamilton Tiger Cats under new owner David Braley. In the few months since taking over, he has done an outstanding job to revitalize the club, asking the fans for their ideas, and conducting an impressive marketing campaign. Hamilton and Hamiltonians are used to winning

teams and have rallied behind the Tiger Cats in an impressive show of civic spirit and pride.

We would also like to congratulate the Saskatchewan Rough Riders, the western representatives, who completely ignored the experts last week and beat out the favoured Edmonton Eskimos. Sunday's game will be an exciting contest when the two best teams in our country battle for the coveted Grey Cup—the symbol of supremacy in Canadian football. I would ask all members to join me in their support for the Hamilton Tiger Cats this weekend.

ELIZABETH NESCI

Mrs Stoner: I would like today to celebrate a constituent of mine who recently published a book. What makes it such an achievement is the author.

Elizabeth Nesci created the book as a gift for her family and friends to mark her 10th birthday. She has written and illustrated a book entitled the Little Princess's Adventurous Wishes. Elizabeth is selling her book for \$3 a copy and donating the proceeds to the Ajax and Pickering General Hospital, where she was born.

My congratulations to Elizabeth on her achievement and also to the Ministry of Education and to Durham Board of Education who have helped to make this sort of thing possible.

GOODS AND SERVICES TAX

Mr Laughren: On Tuesday in this assembly, the Treasurer (Mr R. F. Nixon) of Ontario indicated that he intended to amalgamate the Ontario sales tax with the federal goods and services tax. He indicated that quite clearly.

Yesterday afternoon, in response to a question from my leader, he indicated he had no documentation on the effect of the GST on Ontario. So here we have the Treasurer of Ontario going to Ottawa, having consultations with the federal Minister of Finance with no documentation whatsoever, apparently, to determine what the impact of the GST would be on Ontario.

Here we have the Treasurer going to Ottawa to negotiate how to amalgamate the GST with Ontario's sales tax and he feels that he does not even need to have any documentation to back up any of his arguments. At the same time he is doing this, the Premier (Mr Peterson) of Ontario is saying, "Well, you know, the GST is so offensive that we might have to fight an election on this issue."

While he is saying that, his Treasurer is down in Ottawa saying, "How can we work together to

impose another regressive tax on the citizens of Ontario?" It says something about this Treasurer that he would be doing something to negotiate the sales tax and the GST being amalgamated while his Premier is saying that it is such a bad tax that he might have to fight an election on it. The front benches of the Liberals are in disarray.

1340

LENGTHS OF TRUCKS AND TRAILERS

Mr Cousens: The Minister of Transportation (Mr Wrye) announced at a luncheon today his intention to increase the maximum allowable length of tractor-trailer combinations on Ontario roads. Truck lengths will increase from the present 23 metres to 25 metres, which is 82 feet. Trailer maximums will increase from 14.6 metres to 16.2 metres: that is from 48 feet to 53 feet.

Fortunately, perhaps, for the minister, he is presently on his way to Thunder Bay. He wisely decided to leave town instead of listening to what the public has to say about longer trucks. Trucks can barely shoehorn themselves around tight intersections in most cities as it is. The minister now wants to add another five feet of rear overhang on these monster rigs. Trucks will interfere with other traffic when cornering, throw up more splash and prove more difficult to pass on two-lane highways. Longer trucks mean heavier trucks, heavy trucks cause ruts in our roads which contribute to the frequency of accidents. Cars are becoming increasingly smaller each year; yet the minister is pushing for monster trucks. For someone who has declared war on unsafe driving, he is sending out a mixed message.

Our party strongly opposes the minister's decision to increase the allowable length of trucks on Ontario roads and highways. Our party strongly supports the minister's decision to leave town.

FUNDING FOR NATIVES

Ms Oddie Munro: Early in November I met with the president of the Ontario Metis and Aboriginal Association, Charles Recollet, to discuss two issues: First, the federal government's 20 per cent reduction in 1989-90 funding of its native citizens' directorate and second, the programs in the aboriginal representatives and organizations programs. In my view, the continuous cutbacks over four years have resulted in significant pressures on the organization, management and services provided by the Ontario Metis and Aboriginal Association. Indeed, the

reduced funding seems discriminatory, with insufficient rationale communicated, and it certainly flies in the face of supportive statements made by the Prime Minister of Canada in 1985. I think it is fair to say that this action also represents a disturbing trend of federal offloading of responsibility to provincial governments.

I would ask all members in this Legislature, many of whom have been contacted by Mr Recollet, to petition the federal government to reconsider its funding decisions and to ensure that 1990-91 funding is adequate and realistic. Mr Recollet also asked for a resolution to his proposal for core funding from the province of Ontario to the OMAA and its five zones. The core funding proposal is separate from the work being done on self-government for native peoples. It is intended as outreach to zones and provincial issues such as education, child welfare and justice and is supportive of our government's increasing the role of local communities. I urge the minister responsible for native affairs (Mr Scott) to consider this proposal at the earliest opportunity.

VISITORS

The Speaker: That completes the allotted number of members' statements. Just before I call the next routine proceeding, I would ask all members of the assembly to recognize in the Speaker's gallery some of the members of the House of Commons standing committee on elections, privileges, procedures and private members' business.

They are Chuck Cook, the chairman; Peter Milliken, the vice-chairman; Steve Butland; Joe Fontana; and Scott Thorkelson. Please join me in welcoming our visitors.

STATEMENT BY THE MINISTRY

CHILD CARE

GARDE D'ENFANTS

Hon Mr Beer: I would like to inform members of the House about some steps my ministry has taken to ensure a continuing high quality of licensed child care throughout Ontario. As members know, we are nearing the end of the first three-year cycle in the development of Ontario's child care plan called New Directions. During the past five years, the child care system in Ontario has grown at a rate without precedent in Canada. The licensed system will have grown by approximately 55 per cent, from 74,000 licensed spaces in March 1985 to an expected 115,000 spaces by the end of March next year.

Le budget que mon ministère a consacré à la garde d'enfants pour l'exercice financier de 1985 à 1986 s'est élevé à 88 millions de dollars ; en 1989-90, il atteindra les 347 millions de dollars.

Afin de garantir que le personnel des établissements de garde d'enfants soit de plus haut calibre, nous avons alloué 61 millions de dollars en subventions d'exploitation directes à ces établissements. Ainsi, le travailleur moyen a vu son salaire et ses prestations sociales augmentés de 3400 \$ par an.

Enfin, nous avons plus que doublé le nombre d'établissements de garde d'enfants subventionnés : soit de 20 000 en 1985 à 45 000 cette année.

En raison d'une croissance aussi remarquable, le système s'est trouvé soumis à des contraintes considérables et tous les participants ont dû déployer des efforts soutenus pour continuer d'assurer des services de qualité.

As part of that effort, and as part of our New Directions for Child Care, my predecessor announced a review of the ministry's enforcement practices as they relate to the current laws and regulations concerning child care. The review will be completed and made public early in the new year.

However, I know that within the child care community there is a great deal of interest in the work of our enforcement practices review. As well, members of this Legislature, in particular the member for London North (Mrs Cunningham), have expressed a desire to be kept informed about the progress of the review.

As a result, I want to inform members of some interim measures my ministry is taking as a result of the review's preliminary observations and findings. These measures are designed to ensure that all licensed child care operators comply with Ontario's child care regulations, in that way providing a consistently high quality of care across the province.

Here are some of the interim measures we are taking:

1. Checklists that set out the regulations under the Day Nurseries Act will be used in every licensing inspection.

2. After the inspection has been done, the operator will be required to sign the completed checklist. The ministry will then be assured that the operator knows about any action that must be taken to improve that child care operation.

3. The ministry will require operators to correct minor violations of the child care regulations quickly. Operators will be given a maximum of two weeks to correct shortcomings.

If the required improvements are not made within the time limit, only a provisional licence will be issued.

4. To make certain that child care operators comply with all regulations as quickly as possible, provisional licences will be issued for a maximum time of three months only. If the needed changes are not made within that time, the ministry may withdraw the licence.

5. Finally, we are reviewing my ministry's local management policies to ensure that investigations of unlicensed child care operations are carried out as promptly and effectively as possible.

These interim measures have already been put in place by staff of my ministry. It is through measures like these that we shall continue to make improvements in licensed child care.

I expect further changes will be made in light of the ongoing work of the enforcement review committee, which as I said earlier, will be completed in early 1990. I look forward to receiving the committee's final report, and I also look forward to sharing it with this House.

Maintaining quality in child care to keep pace with the rapid growth in the system is both a goal and a challenge for my ministry, a situation that compels us to take action on many fronts at the same time.

To improve the child care system further, we are, as I have already explained, concentrating on our enforcement practices. We are also revising child care accountability and management systems, and will continue our commitment to provide community supports for small centres.

I want to assure this House that this government remains committed to making sure that children whose families entrust them to licensed care operations receive the highest possible quality of care.

RESPONSES

CHILD CARE

Mr Allen: In the members' statements, I just completed a statement which referred to the fact that Ontario children's mental health centres now have waiting lists of 10,000 children awaiting treatment as against some 2,000 seven years ago.

1350

I would have thought that given the problems of families in Ontario, of children in the midst of family instability, of changing patterns of family life that have issued in major personal, mental, socio-psychological problems for children, this province would at this time have had in place a full and complete, universally accessible, non-

profit, affordable child care system to defray and avoid so many of those problems that children who get bounced around in the interstices of social and family life—would have some base in their lives which they do not have now.

What the minister has given us in the place of any major new announcement in developments in child care is something that is simply a reflection of past announcements, of procedural matters, nothing that goes beyond the New Directions for Child Care program of 1987; nothing, indeed, that addresses the problem that existed in Toronto, in my community, over this last year or year and a half in which, for example, there were spaces available in some parts of the system, inadequate subsidies to enable working families to access them, the appearance of waiting lists, in my community for example, for the first time in the history of that community; obviously an immense unmet need of children, of families, working families in Ontario, who simply need to have adequate and accessible child care in order that their family life may be regularized and their children supported adequately.

It is not without significance, as I said in my own statement, that the United Nations has recently moved forward with a major new statement of a declaration of rights of children. Yet for children still to be finding themselves, in Ontario—notwithstanding the fact that many of them do find themselves in stable family circumstances, in school situations that are healthful, etc. That there are so many in growing numbers who are in trouble in our province suggests to me that the minister really should be making an announcement of a very different order today, one that would be telling us that he was embarking on a bold new campaign to provide not only subsidies but a complete system.

We know that the Canada assistance plan provides him open-ended funding in terms of federal support for as large a system as he wants, unlike the facts of the Canada child care program that the Tories were talking about with the minister and which almost got under way previous to the past election.

That funding is available. This minister can access it. This government can access it in order to provide an adequate, fully accessible child care program for all of Ontario if it wishes. The fact that that announcement has not been made today, that we have not heard that it is coming, tells us that we can expect no such directions from this government. The old program was

entitled New Directions for Child Care. New Directions is now passé and we are looking for new directions out of this government, and to date, we have not seen them in the field of child care.

Mrs Cunningham: I would like to commend the minister for this amount of progress, especially with regard to procedures for quality inspections in the day nurseries across the province of Ontario. I am certain that the Ontario Coalition for Better Child Care, which especially has been involved in working with his ministry with regard to this improved inspection process, will also be very pleased with the progress he is announcing today.

However, I have to assure the minister that I am aware that this is just a beginning. Checklists have been used as part of the procedure over the province for the last five years. Certainly we know that we have always asked the operators to sign these checklists in the past. The new part will be the time frame, and we approve of that, of course. A maximum of two weeks to correct shortcomings is long enough; and after a provisional licence, if it must be offered, three months later is long enough for parents to wait for the inspections to be redone and the quality to be reassured.

I would just like to assure the minister that we will be continuing to watch his progress. We are anxiously waiting for the conclusion of his inspection review so that we can be really assured that the quality of our child care across the province of Ontario is at the very top that can be expected and we can improve it even further.

Mr Cousens: I would like to thank our member the member for London North for the excellent job that she has been doing as critic in this area to draw attention to these needs and, indeed, in setting a standard for the government to move towards.

On the one hand, we are pleased to see a statement from the ministry that explains the direction it is going to be taking, yet on the other, we are not seeing progress on actions that the ministry should be responding to. On 23 October, I raised an extremely important matter with the the Minister of Community and Social Services (Mr Beer) and, to date, there has not been any action on the York South Association for Community Living.

On the one hand, the minister can make new statements, but what can be done right now to improve upon the situation that exists in our ridings to the north of Toronto? The shortage of qualified staff because of inadequate salaries and

unaffordable housing in our areas has become a crisis situation in group homes. I have received numerous letters from concerned parents of residents of High Point, one of the group homes under the York South Association for Community Living, and they are justifiably concerned that their sons and daughters will be displaced from their residence if this situation is allowed to continue.

Christmas is going to soon be upon us, and here he is making other announcements, yet not looking after the existing programs. Some of the residents in the groups homes will be fortunate enough to spend the holidays with their families. Of the remaining residents, plans are under way to uproot and amalgamate them under several facilities, because there is not enough staff to work over the holidays.

Every attempt to enhance staff salaries by the association has been thwarted by the ministry, including confiscation of rental revenue from the homes, which would have been applied to salaries. Funding from his ministry is simply not sufficient to attract or maintain necessary staff reserves.

The current waiting lists have now been stopped at 150. I am disappointed with the Minister of Community and Social Services in his lack of response to this crucial situation. Action must be taken immediately to resolve the staff shortage for the sake of residents of High Point, as well as all residents of the 11 group homes in my area.

On the one hand, I am supportive of decisions that he is taking to do something about child care. On the other hand, we have to be genuinely concerned with the existing programs that his ministry is responsible for, and we cannot sidestep them. He can come into the House and make fresh announcements, which we appreciate, but he should please not let himself believe that we are going to allow him to forget about the services to those people who are depending upon him and his ministry to come up with a solution.

We want to be grateful for improvement, but we cannot allow ourselves to slide into the habit of saying, "Hey, we are satisfied with what's going on out there." I have a crisis, which is a crisis for all those families, for young people and young adults who are at High Point and other group homes.

Would the minister please do something about it? There is a need in our community that has to be addressed, and it is not even being answered by this minister. He has not even got back to the people. They are waiting for an answer. Would

he please put that as a high priority, along with child care and the other things that have to be done?

ORAL QUESTIONS

NURSING SERVICES

Mr B. Rae: I have a question this afternoon for the Minister of Health. Over the year, I have asked the minister on many occasions whether she agrees that there is a nursing shortage in the province. I would like to ask the minister: Is she is aware of information coming from her ministry that shows that in 1983 the province was short some 98 nurses? There were 98 nursing vacancies in the province. As of March 1989, there are 1,891 nursing vacancies in the province.

I wonder if the minister can tell us: Is it still her view that there is no province-wide problem with respect to nursing shortages?

Hon Mrs Caplan: I met recently with the ministry's Advisory Committee on Nursing Manpower. The information they gave me, which I believe to be accurate, is that overall across the province there is an average vacancy rate of about 1.8 per cent, which is considered to be a reasonable vacancy rate for labour market movement. However, there is a particular problem in some communities, and particularly in downtown Toronto the vacancy rates are too high.

1400

Mr B. Rae: There is a serious crisis in acute care and critical care in this community, in Toronto. There is a serious problem with respect to care in northern Ontario, where vacancy rates are up well over five per cent.

I want to ask the minister, is it still her view, since she has told me on any number of occasions since 1987-88—on 7 January 1988, she said that as far as she is concerned, it is a cyclical problem. She later on said that one should not have a knee-jerk reaction. There is no problem. She said, "These vacancy rates go up and down, nothing unusual." That is what she has been saying for the last few years.

My question for the minister: Does she regard a trend line starting in 1983 with 98 vacancies and a line now in March 1989 where we have nearly 1,900 vacancies—can she tell me what is circular or cyclical about that kind of trend?

Hon Mrs Caplan: I want to say to the Leader of the Opposition that I understand the issues facing the nursing profession and nurses in this province. In fact, I understand that they are

societal issues and they relate very much to the changing world of women in our work force.

I am also a strong advocate for improved working conditions and greater professional recognition for nursing, and that is why I think I have taken positive and progressive steps, as announced recently, to address these issues: the announcement of a nursing co-ordinator; the announcement of a number of steps which include a \$5-million nursing innovation fund over five years; \$1.5 million for ongoing nursing programs; bursary programs and on and on.

I will say to the Leader of the Opposition that in fact these issues which affect nursing and nurses are not unique to Ontario, but we are taking action here to do what we can to let the nurses of this province know what important partners they are in the health care system.

Mr B. Rae: I want to point out to the minister that when she first told me she recognized there was a problem—let's take for a date June 1987 or March 1988. We were looking at 1,283 vacancies in June 1987. That is when she said she recognized there was a problem. In March 1988 it went to 1,372. In October 1988 it skyrocketed to 1,875.

Since the minister has said there was a problem, the problem has become even more severe. The Princess Margaret Hospital, the centre of cancer treatment in this province and indeed the centre for cancer treatment, in many instances, for the whole of Canada, has had to close 40 of its beds because of the shortage of nurses. That is the reason; that is the explanation; that is why.

I could take her through the Hospital for Sick Children, I could take her to Toronto Hospital, to the intensive care unit at St Michael's Hospital—case after case. What is happening with respect to care in this province is that it is deteriorating because the minister has failed to act on the nursing crisis.

Can the minister confirm the simple fact that since 1983, the number has deteriorated from 98 vacancies to 1,900 today? Can the minister just confirm that?

Hon Mrs Caplan: In fact, the issue that the Leader of the Opposition raises is a very important one. The fact is that in downtown Toronto there are very specific and unique situations in areas such as intensive care, areas such as highly specialized areas of nursing. Part of the difficulty, we know, is that the negotiations between the Ontario Nurses' Association and the Ontario Hospital Association—the union and the employers address as best they can

through those negotiations the issues affecting nurses in this province.

I want the member to know that I am very concerned. As well, I am taking action to address those areas which I believe will in fact lead to an improved relationship between employer and employee in the hospital environment, leading to improved working conditions, because one of the things we know is that where there is a good working environment, where quality of work life is improved, hospitals are not having difficulty attracting nurses.

YORK REGION LAND DEVELOPMENT

Mr B. Rae: A question to the Premier: I asked the Premier some questions yesterday which he referred to the Minister of Municipal Affairs (Mr Sweeney). The question I would like to ask the Premier today is, why is his government afraid of a commission of inquiry into the concentration of land ownership in the York region?

Hon Mr Peterson: I am not afraid of a commission of inquiry into anything, any subject the member thinks is worth while, but let me say, if he has some ideas about some wrongdoing or things that are improper, then obviously we should look at those situations. But if they are policy matters, then obviously we should look at them here.

Mr B. Rae: The Premier has before him now, after I put it to him yesterday, a clear recommendation that came last January or February to his minister stating that in the view of the ministry and a recommendation to the minister, there is a problem with respect to the concentration of ownership of land and that it does pose problems for the development process, for the decision-making process in terms of how decisions are made. I have a simple question for the Premier: Does he have information, does his ministry have information with respect to concentration of land which leads them to believe that it is a problem?

Hon Mr Peterson: I am not aware of any special information in that regard. I know what the member knows, what I read in the newspaper, with respect to who owns what. I have no specific knowledge of individual developers owning particular pieces of land. But if he thinks there is something untoward or something illegal going on, then I think my friend has an obligation to stand up and say so. He may say the same thing in other communities around the province as well. Perhaps there is a generic problem. If there is, obviously we should look at it from a policy point of view.

Mr B. Rae: On page 3 of the memorandum which went to the minister, it states as follows, that issues have been identified, and it states the following identifications.

"Land ownership is concentrated in a few hands; sewer capacity is distributed by the Region in a preferential manner; there is no regional official plan to guide development; there is a need to review the structural financing and functional responsibilities of the region; citizen input into the planning process has been frustrated; the relationship between developers, councils and municipal officials needs to be explored; allegations of fast-tracking development proposals of friends by provincial and local officials; decisions with respect to planning and development often appear to have been made behind closed doors and at the expense of the community."

Those are statements that are made within his own ministry with respect to an identification of issues that staff members have assembled from various evidence they have. What is it going to take for this government to understand that it is sitting on a problem and that it has a responsibility to do something about it?

Hon Mr Peterson: The minister responded yesterday and told the honourable member the actions that his ministry has taken in that particular regard. As I say to my honourable friend, if he has some suggestions or evidence of something that has gone amiss or some specific evidence, then obviously we are very interested in that. We do not fear an inquiry into anything that is going to be productive, but the member has to establish that there is going to be something productive coming therefrom.

PROPOSED HOSPITAL MERGER

Mr Eves: I have a question of the Minister of Health. It concerns the proposed merger between the Toronto Hospital and Women's College Hospital. Could the minister tell us whether she considers it appropriate that the boards of both hospitals have passed resolutions approving the merger without consultation with medical staff, without consultation with nursing staff, without input from the community and without input, most important, from the patients of Women's College Hospital?

Hon Mrs Caplan: As the member opposite knows, governance of our hospitals is by independent boards of trustees. I frequently describe our public hospitals in Ontario as being private, nonprofit corporations governed by boards who represent the community and who

have as part of their mandate the assurance that the interests of their community are considered in any of the planning and undertakings that they take in the hospitals.

I received a communication from the chairman of Women's College Hospital with a request that I undertake a review of the process that they underwent, and I would be pleased to share with the member opposite that I sent her a letter indicating that I would be pleased to initiate an independent review of the process that was carried out at Women's College Hospital.

Mr Eves: I am quite aware of the facts that the minister has just reiterated. What we asked her was whether or not she thought it was appropriate. She says she has asked for an independent review. I have a supplementary for her on that very point. Why is the medical officer of health doing her independent review, as opposed to the district health council? Could she tell us what role the district health council has to play in this proposed merger?

1410

Hon Mrs Caplan: Frequently in this House I caution the members opposite about ensuring that any information that they share is accurate. Surely the member opposite is not suggesting in fact that I abolish the boards and run all of the hospitals of this province. What I have said is that I have asked the ministry to appoint an independent review team. If the member wishes, I will share with him the names of the members of that review team as soon as they are confirmed and I am sure that he will support that approach.

Mr Eves: The Minister of Health is quite aware of the fact that she is supposed to direct the health system in the province. She supplies hospitals with 81 per cent of their money, and I do not think that she can avoid her responsibility in that regard.

My final supplementary to the minister is that last year, family practice patients seen by Women's College Hospital were in excess of 40,000. Toronto Hospital only saw 26,000. How does the minister propose that in her system all these patients are going to receive the same type of care they deserve in the future as they have received in the past?

Hon Mrs Caplan: As the member opposite knows, my priority is always patient care, effective quality care and ensuring that we do everything possible that we can in partnership in this province to plan for the future for a healthier Ontario. I want him to know as well that I have great confidence in the boards of trustees of our

neglect, there is no guarantee of treatment for responsibilities of acting in the public interest very seriously.

I know that Women's College Hospital is just one of a number of hospitals across this province which has always attempted to be on the leading edge of changing times. I would say to the member that I have been supportive of hospitals working together. I want him to know that I have initiated a request of the ministry officials to establish an independent review team and I am looking forward to hearing what that review team has to say about the propriety of the process that was carried out by the board of Women's College Hospital as it reached its decision.

ELECTRICITY DEMAND AND SUPPLY

Mr Cureatz: I say to the Premier, in the most restrained manner possible, that the passage of Bill 204, An Act to amend the Power Corporation Act, has given his administration wider opportunity of intervening with Ontario Hydro and its policies in regard to, among other things, the demand/supply options study that should be coming forth soon.

It was indicated that Ontario Hydro would come forward with the study in October, but that decision was postponed. When will the Premier and his administration and the Minister of Energy (Mrs McLeod), who is absent today, direct Ontario Hydro to come forward with its demand/supply options study so Ontario residents can be assured that there are plans to make available enough electricity for people in Ontario?

Hon Mr Peterson: Let me thank the honourable member for his very thoughtful and well-phrased question. I am glad he has brought this matter to my attention. I will discuss this with the Minister of Energy, who I know is right on top of the situation. That being said, it is my understanding it will be coming along very shortly.

Mr Cureatz: With the Premier's understanding that it will be coming forward very shortly, does he anticipate an active role for the select committee on energy in terms of reviewing the proposals under Ontario Hydro's demand/supply options study under our new illustrious chairperson, the member for Halton Centre (Mrs Sullivan)?

Hon Mr Peterson: The member for Halton Centre is indeed illustrious, and I share the honourable member's very high opinion of that particular member. I am sure that when it comes forward the Minister of Energy will have ideas on how to review the entire matter. Decisions about future energy supply are decisions for all

members of the community and indeed all members of this House. We would want the fullest input all along the way.

Mr Cureatz: Mr Speaker, you will notice as a result of the graciousness of the various lunches that you provide for other members through your offices, how much more subdued I am in terms of asking my questions.

My final supplementary is to the Premier. It is indicated that Hydro-Québec is foreseeing a serious shortfall in its electrical production, and as a result Ontario Hydro will not be in a position to buy as much electricity as it has normally done in the past. What kind of guarantee is he going to give us and the people of Ontario, first of all, that Hydro will be in a position this winter to meet the electrical demands of Ontario?

Second, as the Premier and I both know, we have discussed in other situations and in other places, the fact that his government has yet to decide, and I am asking him when his government is going to decide about the kind of major electrical-producing plant that is going to be built and where it is going to be built.

Hon Mr Peterson: I am delighted my honourable friend had a good lunch with you, Mr Speaker. I guess the question is, what did you put in his peanut butter sandwiches?

My friend raises an important question and, as members know, in regard to Ontario Hydro's long-term plans, decisions will have to be made about future generation and the mix of that generation. All of those options will be available for people to look at and to have their input on. There will be the widest public hearings and discussions on those matters.

That is a round of decisions that according to Ontario Hydro's current plans probably do not have to be made for another two or three years, in that time frame, but obviously those discussions must start in the near future. That will start with the review of the demand/supply options study and there will be full input challenging all Hydro's numbers. We will use the best independent authority that we can to establish the programs for the future.

As I said, and as my honourable friend will be aware, we value very much his input on these matters as these questions unfold. Indeed, I think they are a matter of priority for all citizens of this province.

REGIONAL GOVERNMENT

Mr Kormos: I have a question to the Minister of Municipal Affairs. Back in February 1988, this government retained Harry Kitchen to

conduct a review of regional Niagara. A report was indeed prepared after Dr Kitchen conducted extensive interviews of persons throughout the Niagara region. Indeed, the report has been in the minister's office, printed undoubtedly on glossy paper in both official languages, some 600 pages and almost half a million dollars later, and the report is being kept under wraps. It has been buried; it has been hidden away. The question is, if the ministry cannot stand the heat, then why did it hire Kitchen?

Hon Mr Sweeney: In his very colourful language, the honourable member asks, what we are hiding. We are not hiding anything. It would be, quite frankly, impossible to hide it. The region is as aware as we are what the contents of that report are, and the only things that are holding it up now are the two elements that the member spoke about, that is, that the report is to be translated and the report is to be printed. As soon as both of those are done, it will be distributed. There is nothing else holding it up, absolutely nothing else.

I could also say to the member that there are two other regional reports being done at the same time and this one is part of those three.

Mr Kormos: That is remarkable, because Dr Kitchen tells the press that in the first week of November, he happened to be in the minister's office when the report was returned from the printer, having been translated, having been printed in both languages, in excess of 600 pages, and that the only way he, Dr Kitchen, obtained the report was not through the courtesy of the government but because he happened to take one from the top of the pile of 2,000 reports that Dr Kitchen says were sitting in the ministry's office.

Now this excuse just does not wash any more. It remains that this report was due in June 1989. The government, quite frankly, should not have jobbed out or contracted out the translation. If there were problems, it is undoubtedly due to the fact that they contracted it out. The region has asked for the report. When is that report going to be delivered to the regional municipality of Niagara?

Hon Mr Sweeney: I make it a practice of going through my office at least once a day. I can assure the member that there is no such pile of reports as he is talking about. However, if in fact it is complete to the extent that the honourable member says it is, it will be in the mail tomorrow.

INTERVAL AND TRANSITION HOUSES

Mr Jackson: I have a question to the Minister of Housing. When he was the Minister of

Community and Social Services, he did extensive work and advocacy for Ontario's battered women. I personally believe that the work he did at the cabinet table was helpful when his government made a statement on 14 August 1987 in which the then Minister of Housing said that Ontario was committed to a program for support of community living which targeted specifically vulnerable groups including battered women.

The minister will recall that the program was to construct 1,000 new units and to modify 2,500 units. He is now also aware that for every one woman and child housed in a battered women's shelter, there are one or two who are turned away. My question is, how many specific units for battered women, in the two years since that announcement, were created through the Ministry of Housing's Supportive Community Living program?

1420

Hon Mr Sweeney: The honourable member will be aware of the fact that—I believe it was two years ago but I am not absolutely certain—a decision was made by the Ontario Housing Corp, supported by the ministry, that women who were victims of domestic violence would go right to the top of the list in terms of being eligible for any units that became available within the OHC.

In addition to that, this ministry has been developing somewhere in the neighbourhood of 15,000 new units of nonprofit housing in Ontario. I might add that that is equivalent to all the units developed across the entire country of Canada. The various areas of the province have a common eligibility list for what we call deep-core need, and victims of domestic violence are part of that deep-core need.

So not only have we put them at the top of the list with respect to existing Ontario housing, but we have created a significant amount of new housing through the nonprofit housing program and they are eligible for that list as well. But they are not specifically targeted just for that one group.

Mr Jackson: That is a cruel way of comparing apples to oranges. The truth is that not a single unit was built for battered women under that program in those two years, not a single unit. On June 1988, the federal government announced a \$22.2 million program specifically targeted for transition homes to house battered women. The federal funds flow through CMHC and Ontario's allocation is 177 beds.

To date, the only three provinces to not accept that allocation are Ontario, Prince Edward Island and the Yukon. All the other provinces have

accepted their allocation. In fact, five provinces have requested to take Ontario's allocation because Ontario is unwilling or unable to accept it. While the minister was the solution years ago, he has now become the problem as the Minister of Housing.

The Speaker: The question?

Mr Jackson: The federal government has given him 30 days to give it an answer. So my question to him is—

The Speaker: I hope you will put it.

Mr Jackson: —now that he is Minister of Housing, will his government accept the federal government allocation for those 177 beds so that they will be built in the next year here in Ontario where they belong and not sent to other provinces?

Hon Mr Sweeney: I would suggest to the honourable member that he speak to the Ontario Association for Interval and Transition Houses because—

Mr Jackson: Don't blame them, though. They didn't ask for it.

Hon Mr Sweeney: Just a minute.

We consulted with them as to how we should be using the resources that were available and they told us two things very clearly. One was that not only did they need the physical space, but they needed all the support mechanisms, the resources and the staff in order to operate those physical spaces properly. Therefore, whatever additional resources we had—

Mr Jackson: Don't blame the battered women.

The Speaker: Order.

Hon Mr Sweeney: Whatever additional resources we had should be used to boost up the existing spaces. When we talked about building new spaces on the basis of the federal program, it clearly was spaces only, not the additional supports that would be necessary.

The second thing they said to us was that in addition to the initial spaces, the primary spaces, if you will, the battered women they were working with needed secondary housing and that therefore we should put our second line of resource into secondary housing. We have done both of those things exactly as the Ontario association has suggested we ought to do them.

RENOVATIONS TO APARTMENT BUILDINGS

Mr Velshi: My question too is for the Minister of Housing. I would like to point out that over

20,000 tenants in the riding of Don Mills are presently affected by varying stages of rent review applications. Recently, members of this House, including my colleague the member for Eglinton (Ms Poole), addressed questions to the minister regarding the issue of unnecessary renovations.

In light of the fact that his ministry has indicated that a recent proposal to amend the Residential Rent Regulation Act of 1986 would be ruled *ultra vires*, can the minister tell me what his ministry is doing to address this issue?

Hon Mr Sweeney: Last Wednesday or Thursday, I am not sure which, I met with the Federation of Metro Tenants' Associations and among other items on our joint agenda was this particular issue. I had asked them to come in advance, bringing me some suggestions as to how they thought we should deal with it and they gave me some good ones. Later this week, I had a meeting with the Ontario Landlords' Association and asked them essentially the same question, that this was a joint problem between these two particular groups, and they also gave me some suggestions and recommendations as to how we might deal with it. My staff is now in the process of taking these two sources of information and putting them together and trying to come up with a solution.

I might add, however, that one of the things the Metro tenants said very clearly to me was that while today the concern of the tenants might be rent increases, within two to three years their major concern would be the deterioration of the buildings. "Please," they said to me, "don't do something today that is going to make that problem worse tomorrow."

Mr Velshi: In view of the discussions the minister is having with the two groups, I think I am referring to unnecessary repairs. This is what the tenants are concerned about rather than the necessary repairs. What changes to the act will be made by the ministry to allow tenants to have some input into the question of unnecessary repairs, which is the urgent question facing all tenants now?

Hon Mr Sweeney: The essential element of both series of recommendations was that we need to find a way to distinguish between necessary and unnecessary. The proposal that has come from both groups is that necessary should include those repairs that are necessary to maintain the integrity of the building, in other words, plumbing, wiring, windows, roofs and these kinds of things, and that a whole series of other

things could be not called unnecessary but are not in the same category.

Where the latter were involved, they both recommended dialogue between the landlords and the tenants in which the landlord would clearly identify for the tenants what he or she was proposing to do and, through a dialogue between the two of them, try to come to some agreement as to what ought to be done and what perhaps ought not to be done.

The other thing that the landlords' association drew to my attention is that there is a provision within the existing legislation which has not yet been fully proclaimed—or the regulations are not there; I should put it that way—that would allow them to negotiate on a unit-by-unit basis with their tenants for things that some tenants would want done and others would not want done. So we are looking at it from both those perspectives.

WATER QUALITY

Mr Wildman: I have a question of the Minister of Northern Development with regard to the fact that 90 per cent of the water wells in Algoma Mills in the township of North Shore in my constituency and the constituency of Algoma-Manitoulin need to be upgraded. The water is brown in colour and has a foul odour. People cannot drink it, they cannot cook with it and they cannot wash with it. They are having to haul water from Blind River, about 10 miles away, yet the Ministry of the Environment refused to provide the grant that was originally promised to the municipality to upgrade these wells.

Can the minister indicate what is going to be done with the new application to ensure that in 1990 we will be able to end this problem and have good water for the people of Algoma Mills?

L'hon. M. Fontaine: Je tiens à remercier mon collègue le député d'Algoma de sa question. First of all, as the member knows, my ministry helps small communities with a top-off grant, but on this one I will ask my ministry people to look into it and work with them for the application and try to discuss this with the Ministry of the Environment to be sure they are on top of the list.

Mr Wildman: I appreciate the commitment of the minister and just would like him to recognize that this has been an ongoing problem since 1983. The council first passed the resolution to get assistance in 1986. They were refused in 1988 for 1989 funding and they have now reapplied.

Can the minister ensure that his colleague the Minister of the Environment (Mr Bradley) is

aware of the need for an 85 per cent grant to assist the residents of Algoma Mills, and will his ministry also look into topping up, as he indicated, to assist in upgrading the water for the residents of Algoma Mills?

Hon Mr Fontaine: I would like to say to the member for Algoma that my ministry will be presenting to me a list of projects in the north, the ones that are being finished and the ones that are in the making. They will be presented to me on Monday. From this, I will meet with my ministry. I am going to meet with the minister and his ministry to see how his budget will fit the demand in northern Ontario.

1430

CLEANTARIO

Mr McLean: I have a question for the Premier. The April throne speech contained a reference to the establishment of a new Cleantario lottery to finance efforts to protect the environment. This announcement was made about seven months ago and we still do not know what kind of numbers game he is considering for environmental protection. A government document titled Cabinet Committee on Economic Policy, Future Items, dated 24 July 1989 suggests that Cleantario would be discussed in the fall. What is the status of this report that reduces environmental protection to a game of chance?

Hon Mr Peterson: I think my honourable friend mischaracterizes the entire matter. I think Cleantario is an excellent idea to involve the public in environmental matters. It will be an add-on to the already existing appropriations for environmental concerns. As he knows, it takes some time to develop games by the Ontario Lottery Corp, but it is in the process of being done. I am sure my friend will want to be the first to buy a ticket when it is available.

Mr McLean: I am sure I will.

During the estimates, the Minister of the Environment (Mr Bradley) indicated to my colleague, when questioned with regard to this very subject: "I am saying that we should have one which could be devoted entirely to the environment. As you know, all of the lotteries come under the auspices of the Ontario Lottery Corp. It operates them, and I want those funds devoted exclusively to endeavours of the environment." Does the Premier agree with the minister on that statement?

Hon Mr Peterson: I agree with every single thing that every one of my ministers says most of the time.

HOUSING ON GOVERNMENT LAND

Mr Adams: My question is for the Minister of Government Services. A couple of weeks ago, the Minister of Housing (Mr Sweeney) described a number of affordable housing projects in Peterborough and these involved the release of government lands. There is concern in some quarters about the impact of such a large release of land on the local real estate market.

My question is this: What is the minister doing to address concerns expressed in my constituency about the impacts of the government's Tower Hill Road subdivision on the real estate market in Peterborough?

Hon Mr Ward: I appreciate my colleague's keen interest in this particular development within the Peterborough area. I want to assure him that development of the Tower Hill property will be done in a responsible and well-considered manner.

The marketing of this subdivision will be under the Ministry of Government Services' residential land sales program. Senior officials from both my ministry and the Ministry of Housing have recently met with executives from the Peterborough Real Estate Board and the Peterborough Home Builders' Association. The marketing of these lots will be managed and targeted in such a way as to meet the needs of a full range of builders within the Peterborough area. I can assure the member that my ministry and the Ministry of Housing are very sensitive to his concerns indeed.

Mr Adams: I am grateful for that explanation and I am very pleased to hear that the lands will be released in a responsible fashion.

My supplementary is this: Is this a long process? How long are the people of Peterborough likely to have to wait until these affordable housing units, which involve government lands, come on to the market?

Hon Mr Ward: When the government is involved in the development of residential lands, it too operates under the parameters of the Planning Act. It is expected that draft approval should be complete by the end of December. The project will be phased over a prolonged period of time. The first phase, I believe, involves some 325 lots. Servicing design is currently under way. It is expected that the servicing will actually take place during this spring and summer and that lots should be available for sale on the market in the 325-lot phase 1 by late next fall.

ONTARIO CENTRE FOR RESOURCE MACHINERY TECHNOLOGY

Mr Morin-Strom: In the absence of the Minister of Northern Development (Mr Fontaine), I would like to ask the Premier a question with regard to the disposition of funds from the Ontario Centre for Resource Machinery Technology. This technology centre, which was located in Sudbury, was phased out of operation by the Ministry of Industry, Trade and Technology earlier this month. However, the indications from the most recent financial statements were that there was a buildup of cash and investments that came back into the technology centre. It totalled over \$6 million earlier this year.

I would like to ask the Premier whether those funds have been committed to northern Ontario, and in particular whether they have been committed to the heritage fund so that they will continue to be put to use for investment in that very important industry for northern Ontario.

Hon Mr Peterson: I apologize that I do not know the specific answer to the question, but let me tell the member my guess: My guess is that the northern Ontario heritage fund is separately financed. We have committed, I think, \$300 million to that over a period of time as a separate and independent source of financing, so it is not anticipated that there are additional funds going into that.

Mr Laughren: The agreement was that the surplus funds, which were somewhat in excess of \$6 million, were to be transferred over to the heritage fund, as I understand it. What the member for Sault Ste Marie (Mr Morin-Strom) is asking is whether or not that has happened and what is going to be done with it.

My supplementary to the Premier is that since in this country we are the number three producer of minerals in the entire world, and yet we still import more resource machinery than we export, just what does the Premier have in mind to create an indigenous mining machinery industry in that part of the province?

Hon Mr Peterson: As the member knows, there was a substantial amount of funds committed to that centre in Sudbury. I am told there was general agreement that it should be closed down, that it was not achieving the results expected of it. Obviously we will support other people who have ideas in this particular regard. I can tell the member that I think the original dream of sponsoring an indigenous industry through the centre has not panned out the way people thought it should in the circumstances. Obviously our

role has to be a supportive one to others who are in the business.

INDUSTRIAL ASSESSMENT

Mr Runciman: My question is for the Minister of Revenue (Mr Mancini). I just sent over to him a package outlining some details behind a company called the Lansdowne Distribution Centre in my riding that is proposed north of the Thousand Islands Bridge. I received a letter, which I sent to his deputy last week in his absence during his visit to Italy, that outlined the company's desperation with respect to the fact that it may have to abort the project because of the industrial assessment factor that is applied to that particular municipality. We have talked to the regional assessment commissioner. There is apparently no relief available through the minister's office.

What is going to happen is that this significant industry in that rural area could be lost if his ministry does not act. Does the minister have any response to that?

Hon Mr Mancini: Just by chance, I am going to be in the Ottawa region tomorrow. I will be meeting with senior officials from the Ministry of Revenue and I will have this matter added to the agenda. I will have a full discussion on the matter and report back to the member.

1440

Mr Runciman: I want to re-emphasize the importance of this. The government is continually telling us about its commitment to eastern Ontario and here is an opportunity for it to really back up that rhetoric with action. This company is going to be facing an increased cost of \$500,000 a year. They cannot be competitive with Mississauga or Oakville. This is a rural community in eastern Ontario. His ministry up to this point has said: "Put in a private member's bill. That is your only option." That could take years, if ever dealt with.

I want a commitment from the minister that he will look into this next week and act upon it as quickly as possible.

Hon Mr Mancini: I want to reiterate that I will have this put on my business agenda for tomorrow. If in fact the answer to the problem is a private member's bill, I will consult with the honourable member and we will see what can be done in co-ordination with the three House leaders that meet on these subject matters.

If there are other ways we can resolve the problem, I want to assure the honourable member that I will do whatever I can to be of assistance. When I return from Ottawa on

Sunday, I should be in a position to be able to tell the honourable member more than I can today.

WIFE ASSAULT

Mr Tatham: My question is to the Minister without Portfolio responsible for women's issues. In my riding we make a very active and innovative family violence co-ordinating committee work and I am pleased to participate with it. A women's emergency centre has been established for over 16 years. It was the second in Ontario and the third in Canada.

We strongly support the government's message that wife assault is a crime that we all have a responsibility to prevent. Recently, I read an article focusing on what is called the inadequate response of the criminal justice system to the needs of assaulted women. What is the government doing to address the response of the criminal justice system to the issue of wife assault?

Hon Mrs Wilson: Our government is committed to ensuring that the criminal justice system is sensitive to the needs of assaulted women. It is essential that assaulted women be treated with the respect they deserve when they turn to the criminal justice system. Wife assault is a crime. The Solicitor General (Mr Offer) has issued a directive to police forces across this province that where reasonable grounds exist, the police shall lay charges.

There are other programs to assist assaulted women. The victim witness assistance program operates in 10 crown attorneys' offices and provides support to victims and witnesses as they go through the criminal justice system. The domestic assault prosecutor program provides a specialist in each crown attorney's office throughout the province to provide assistance on wife assault cases in every office. Police training programs are offered to every police force throughout the province. In correctional services, professional training programs are offered. In addition, there are programs in communities for male batterers, data collection resources for the criminal justice system, victim crisis assistance and also referral programs.

Mr Jackson: Mr Speaker, do I get about a third of the time she gets?

The Speaker: I feel like responding but I will not.

Mr Tatham: I have witnessed the recent media campaign against wife assault launched by the minister, which includes very graphic commercials on television. Should we not be focusing our initiatives strictly on programs like

those addressing the concerns regarding the criminal justice system instead of TV commercials? I know our police force works with this group, but should we not be doing more of that?

Hon Mrs Wilson: Our government has more than doubled the funds that are committed to services for assaulted women in the last four years. Wife assault is a vicious cycle that must be broken. It must not be tolerated in our society. We cannot focus only on crisis intervention. Our goal must be to prevent wife assault from happening in the first place. In order to achieve that goal we must change attitudes. We change attitudes through education. Those commercials are educating people that wife assault is a crime, that it is not excusable. Wife assault is never a private matter. We must each be responsible for preventing wife assault.

I believe we still have a great deal more to do, but I believe we are on the right track. We have developed programs that are sensitive, sensible and operating in a strategic manner. I know we can make a difference.

AUTOMOBILE INSURANCE

Mr Kormos: I have a question of the Minister of Financial Institutions. This government's new threshold insurance scheme is going to generate windfall profits for the insurance companies. Insurance premiums are going to continue to go up and the compensation paid out to innocent injured victims is going to be reduced drastically.

My question to the minister is that surely the government has undertaken an actuarial analysis of the impact of its new threshold regime, so when is he going to make that actuarial analysis public?

Hon Mr Elston: Part of the analysis provided for us the information that delivery of the program would require no increase to premiums in the rural areas and only an average eight per cent increase in the urban areas. I have been very frank with the member on that. However, the longer the member wishes to delay the passage of the bill, obviously the more difficult it is to manage. We are going to manage that and we are going to deliver that product.

I can tell the member that the actuarial evidence we have right now is that product is going to be reasonably priced and reasonably delivered under the current systems, as I said before.

Mr Kormos: Once again it is incredible that the minister should respond in the manner he does. He has made all sorts of bold, indeed outrageous claims about this pathetic new

package written by the insurance industry. All we are asking him to do is to show us the facts and figures that back up his claims. Surely that cannot be that difficult, if indeed he is telling the truth about it.

Hon Mr Elston: I want to thank the after-lunch speaker. That was a great presentation.

Let me respond by saying that this program was put together on the basis that there is an issue present about affordability, about which the New Democratic Party organization toured the province. We have responded in a way that has been both reasonable and balanced in presenting to the people not only a package of insurance reforms to maintain costs at a level that will ensure availability, but also with a package that is much more comprehensive in going right to the heart of the problem, and that is eliminating accidents.

I will take some time on another occasion to explain it for the gentleman, who is unable at this moment to comprehend our overall program. First and foremost, the first part of our program is to reduce accidents; second is to punish bad drivers; third is to make sure that the insurance product that is in place for those people who are unfortunate enough to be in accidents provides reasonable compensation and redistributes the premium dollars that are in the system now so that the injured victims get more money than they are getting out of the current system.

That man stands up and assists the lawyers in their arguments about how they should retain the present system. I cannot apologize for not wanting to retain the status quo. That is the NDP's position.

FUELS SAFETY

Mr Pollock: I have a question for the Minister of Consumer and Commercial Relations, better known as one of the globe-trotters. Can the minister tell this House when the date of approval for sidewall venting of oil heating equipment can be announced by his fuels safety branch.

Hon Mr Sorbara: I am glad the member for Hastings-Peterborough is interested in, among other things, sidewall venting. I cannot give him a specific date but if the member would indulge me for a couple of days, I am sure I could get back to him, perhaps with even the exact date.

Mr Pollock: Other provinces have approved it, plus there is the fact that the minister has a letter—I have a copy of it right here—that went to him. All he has to do is read his mail and he will be able to supply the answer. Can he give me that answer?

Hon Mr Sorbara: I think the member just repeats the same question. He refers to a letter. I want to tell him that having just returned to this House after a few days' absence, I would be happy to provide him with a specific response within a couple of days.

COLLEGES OF APPLIED ARTS AND TECHNOLOGY

Mr Daigeler: My question is to the Minister of Education and Minister of Colleges and Universities. About a month ago, I held a public forum in my riding on the review of our community colleges. With the fact that the strike has now been settled; I think we can go back to some of the very important questions as to what our community college system should look like in the next 25 to 30 years.

I understand that the previous minister had instituted a program called Vision 2000. In the study that was done by the people who were at my forum, they spoke in particular about the need to bring together the universities and the colleges to have a better interchange between those two educational institutions.

Can the minister advise this House where the Vision 2000 program is at, and in particular what time frame is the minister looking at in terms of the revisions to our community college system that I think are overdue?

1450

Hon Mr Conway: I want to thank the member for Nepean for his interest and to say that he raises a very important issue about the future of our community colleges. Certainly this government expects much from that system as we face the challenges of the 1990s and beyond. As my friend will know, we are heading into a future where the economic prospects of this community are going to be increasingly in the area of technology and we expect our community college system to help us in a real and material way to meet that challenge.

My predecessor, the member for Fort William (Mrs McLeod), initiated a review of the mandate and the future prospects of the community college system. That is what is known as Vision 2000. I am expecting to receive, in the next few months, at least an interim report from Dr Pascal.

Mr Daigeler: The minister has mentioned in particular education in the technology field. As far as I know, and I stand to be corrected, the enrolment at the community colleges in the technology field has dropped substantially. This is of great concern to me, and I am sure to many other members in the House, in view of the need

of the technology disciplines for our economy in Ontario. I am wondering, am I in fact correct, does the minister have any information on the technology enrolment in our community colleges, and if there has been a drop, is the minister equally concerned and does he have any plans to address that problem?

Hon Mr Conway: I can, unfortunately, confirm that in recent times enrolment in the technology programs at the community colleges has in a number of cases been declining. That is a trend that we certainly must reverse. It is my view, quite frankly, that we are going to have to proceed on a multipronged approach. Certainly we are going to have to, at the elementary and secondary levels, make plain to young people in school in Ontario the future careers that are available in increasing numbers in the technology area.

I am expecting that as a result of a number of the programs we have begun in Education and in Skills Development, as well as the advice that will be offered by Dr Pascal, we are going to be able to reverse this trend, because reverse it we must.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Reville: My question is for the Minister of Community and Social Services. I am sure members of the Legislature have been advised by the Ontario Association of Children's Mental Health Centres that since the Liberal government took office the number of children waiting for mental health services has tripled. The same association has a three-part demand for legislation guaranteeing access for adequate funding so that it can do its work and for service standards so that the work is of the highest quality.

What is the minister's response to those demands?

Hon Mr Beer: As the honourable member notes, the association for children's mental health centres has expressed a number of concerns with the way the system has been functioning. We are, as a ministry, actively involved with them at the present time in discussing some of the changes and some of the recommendations they would like to see.

We are very much aware of the pressures that are on that system, and even with an increase of some \$25 million that we have been able to put into that system over the last couple of years, we recognize that in the broad area of children's services there has been this demand.

Some of the initiatives that we have taken of late, through the committee which my predecessor set up regarding children's services and with the Better Beginnings project, have helped us in focusing on particular issues, but we recognize, and this is a central part of our discussions with the association, that there is a great deal still to be done. We are going to work with them and, indeed, are doing that now.

Mr Reville: One of the strategies recommended by the Ontario Association of Children's Mental Health Centres is to have the Premier's Council on Health Strategy undertake a review of all the issues around children's mental health. I am sure they have put that strategy to him.

Will the minister be recommending that the Premier's health council undertake such a review?

Hon Mr Beer: This is one of the suggestions that has been made. At the present time we are working with the association in looking at a number of specific things we would like to do to improve the system which, frankly, we believe we can look at and make some progress on without necessarily getting into a longer scale review.

As the honourable member knows, the Premier's council is looking at a number of strategic issues that go over a somewhat broader time frame than I think we would like to see in taking actions with respect to the issues that are currently before us. With the amount of money we have been able to move into this system over the last number of years, and with the working together of ourselves and the association, it is our belief that we can actually do some things in the short run which will not necessitate a longer—

The Speaker: Thank you.

HEALTH SURVEY

Mr Runciman: I have a question for the Minister of Health in respect to a press report this morning in the Toronto Sun, headlined "Peanut Butter or Sex, Folks?" This was in respect to a survey being undertaken by her ministry. It asked female respondents how old they were when they lost their virginity.

I wonder if the minister could comment on the appropriateness of that kind of question, and the fact that it is asked only of women. The Ministry of Health is spending \$5.7 million on this health survey. In eastern Ontario we have a number of sewage treatment plants spewing raw sewage into the waterways of this province, endangering the health of all those people around those communities, and the ministry is spending \$5.7

million to ask women when they lost their virginity. How can the minister justify that?

Hon Mrs Caplan: The issue that the member raises is extremely important. On the advice of both the Evans panel and the Spasoff panel, the Premier's Council on Health Strategy is undertaking a health status survey so that we can establish benchmarks and goals for good health planning and monitoring of the health of our population.

Specifically, the member asks about the question around women's health. I want him to know that all of the questions in this survey are on the advice of health planners and health policy experts. The reason for this question is because the risk of cervical cancer in women is increased in women who have sexual intercourse at an early age. The question in this survey is designed to ensure that we have information so we will know how large the population at risk is.

Interjections.

Hon Mrs Caplan: This is a very serious question. This is about women's health and women's health needs and I am very surprised that the member opposite would not take this seriously. I want him to know that the Premier's Council on Health Strategy takes the health status survey very seriously. It will give us data and information to ensure that our goal of a healthier Ontario in the future can be achieved.

1500

PETITIONS

FRENCH-LANGUAGE SERVICES

Mr Elliot: I have a petition, with 32 signatures, to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It has to do with the repealing of the French Language Services Act, being Statutes of Ontario 1986, chapter 45. I have affixed my signature to it because I am required to do so by the standing orders.

Mr Pollock: I have a petition to the Premier and the Legislative Assembly of Ontario—"We the undersigned beg leave to petition the Parliament of Ontario, as follows"—and this is a petition in regard to Bill 8. They are totally opposed to it, and I have affixed my signature according to the standing order.

Mr Owen: I, too, have a similar petition addressed to the Premier and the Legislative Assembly on the same matter with 18 signatures from my area, and I will file it.

TEACHERS' SUPERANNUATION

Mr Henderson: I have a petition from a number of constituents who say:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We beg leave to petition the Parliament of Ontario that the government of Ontario enter into a partnership with the Ontario Teachers' Federation, joint sponsorship of the teachers' pension plan and an arrangement which provides true negotiability and resolution of disputes. We therefore request that Bill 41 be appropriately amended."

That is signed by about 280 of my constituents and I have added my signature.

FRENCH-LANGUAGE SERVICES

Mr Epp: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario that deals with Bill 8. It is my duty to present this petition, but I want to say I do not agree with the petition.

Mr Runciman: I have two petitions also related to the way Bill 8 was handled by the Legislature and is being interpreted and implemented by the Liberal government of Ontario.

Mrs Stoner: I, too, have a petition from a number of Durham residents addressed to the Lieutenant Governor and the Legislative Assembly. It is requesting the repeal of Bill 8. I have signed my name to it only because I am required to do so under the standing orders of this House.

Mr Lupusella: On behalf of the member for Wentworth North (Mr Ward), I am presenting a petition regarding Bill 8.

REPORT BY COMMITTEE

STANDING COMMITTEE ON
THE OMBUDSMAN

Mr Velshi from the standing committee on the Ombudsman presented a report on the expansion of jurisdiction of the Office of the Ombudsman and moved the adoption of its recommendations.

The Speaker: Would the member have any comments to make on the report?

Mr Velshi: I have no comments, Mr Speaker.

On motion by Mr Velshi, the debate was adjourned.

INTRODUCTION OF BILL

COURTS OF JUSTICE AMENDMENT ACT,
1989

Mr Offer moved, on behalf of Mr Scott, first reading of Bill 81, An Act to amend the Courts of Justice Act, 1984.

Motion agreed to.

ORDERS OF THE DAY

MINING AMENDMENT ACT, 1989

Mr O'Neil moved second reading of Bill 71, An Act to amend the Mining Act, 1989.

Hon Mr O'Neil: Since I last spoke in the Legislature about this bill on 24 October, we have continued to involve the mineral resource sector and other interested groups in discussions about this new legislation. After first reading, the ministry distributed an information package to all interested parties which included my statement to the Legislature and extensive background details on the new Mining Act.

Consultation has also involved members of the opposition parties who have played a key role in bringing this much-needed legislation closer to implementation. Their co-operation has been essential in moving this bill forward.

Throughout the development of this legislation, the Ministry of Northern Development and Mines has stressed consultation because we are aware of the impact our legislative actions have, not only on the province's mines and minerals industry but on the province's overall economy as well. We know that legislation can create a favourable investment climate from which industry can respond and grow. We know, too, that the mineral exploration and mining sectors are of vital economic and social importance to Ontario.

Mining, mineral exploration and related industrial activity contributes more than \$7 billion a year to the provincial economy and provides jobs for more than 85,000 people. It helps fuel our economic growth. In 1988, for instance, the mining industry spent about \$260 million in capital costs and created about 700 new jobs, opening eight new mines.

Just as the province relies on its mineral resource sector to generate wealth in employment, however, so the industry relies on the province to provide an equitable legislative framework for responsible mineral development. This new Mining Act provides such a framework. It reflects current conditions and concerns and will put the province and its mines and minerals industry in a competitive position for the 21st century.

At the same time, this legislation speaks to the environmental and social concerns of the people of Ontario. It encourages the ongoing development of, and investment in, our mineral resources, while protecting the interests of those who are concerned about the impact of mining on the environment and their communities.

The need for a new Mining Act has long been recognized in Ontario. While the Mines Act of 1906 served the province well in its time, today's increasingly complex world demands more from us as legislators. Mineral exploration and mining have changed significantly since we first put our legislative framework in place. Today's industry is using high-tech techniques and equipment. Its professionals are among the most highly trained, skilled and knowledgeable in the world. As part of a fast-paced global marketplace, it faces pressures unknown to the legislators of 1906—pressures of cost, competition from abroad, environmental concerns and social requirements.

Recognizing the need for change, this government committed itself to a thorough review of mining legislation two years ago and last December released a green paper on Mines and Minerals Policy and Legislation. As a result of the extensive public consultations that followed the release of the green paper, we were able to introduce a bill that addressed the industry's major concerns—such as the licensing of prospectors, security of title, staking practices and ways of measuring assessment work—while taking the public's environmental concerns into account.

We set out our intentions clearly. The bill states that the purpose of the act is to encourage prospecting, staking and exploration for the development of mineral resources and to minimize adverse effects on the environment through rehabilitation of mining lands in Ontario. To that end, prospectors' licences will no longer be required to hold an interest in a claim and they will no longer be required by companies. Validity will be extended to five years from one year. Also, claim tags will no longer be tied to an individual licence and are transferable.

To provide security of tenure, the bill specifies that a claim cannot be disputed after being in good standing for one year. This provision will be extended to claims staked under the old act. To improve staking practices, details of approved claim-staking methods will be covered in the regulations, allowing flexibility and full client group input. These consultations are already in progress. Priority of staking will be based on the completion time of staking in the field rather than the time of commencement, as at present.

To bring assessment work practices into line with those of other provinces, the bill moves to a \$1-per-hectare basis instead of the man-days system used under the old act.

In addition, the new legislation deals with related issues of concern to the mineral exploration and mining industries such as the inclusion of certain industrial minerals in the Mining Act, the use of regulations and the retention of section 104, which calls for domestic processing of Ontario's mineral resource.

The bill also recognizes that the people of Ontario place a high priority on environmentally sound mining practices. These environmental concerns have been addressed in part IX of the act, which has been expanded to cover the environmental effects of advanced exploration, development and closure. Notice to the public will be required of advanced exploration and mine development. Closure plans and related financial assurance will be required to ensure that adequate rehabilitation takes place.

These are just a few of the changes contemplated by the bill, but they will give a flavour of the extent of the revisions we are undertaking. As we ready ourselves for the challenges of the new decade and a new century, we require a new legislative framework for responsible mineral development. With members' co-operation and assistance, this bill will provide that framework.

Mr Pouliot: Mr Speaker, our party was ready to tackle the issue yesterday in its usual positive manner. However, the orders of the day were sort of—not mixed, but some expediency was given to lot levies. You will recall that, for you were sitting in the Speaker's chair. Consequently, we just seemed to run out of time. It being six of the clock, we were invited to recess and to come back today.

The Mining Act has not been amended since 1906, so by consensus it could well withstand waiting an extra day. This is partly a reflection of the administration, of the government's attitude towards the mining sector.

I do not want to take too long of the House's time to say that we welcome, with some anxiety and certainly a good deal of sincere interest, the long-awaited amendments to the Mining Act. At long last, a chance to reflect on the importance of the resource sector.

Members will be most familiar with the \$150 million in provincial revenues expected this year and next year, compared with a mere \$13 million, if you go back two or three years.

The throne speech of 1987 committed the government to reflect the realities of mining. Then a short while after that, a green paper was presented, briefs and consultations with parties with vested interests took place for a period of 90 days and people were invited to put their best foot

forward, to examine in detail, clause by clause, the existing Mining Act, again dating back to 1906, to keep what they thought they could live with, and still reflect the operation of a modern era, the needs, and make some positive amendments that would make the operative clause a little better.

For instance, in this day of Our Lord 1989, is it right, for instance, for a prospector who has a licence for a year's duration, to go in the bush and see if there is any rock formation that may be conducive to mineral exploration, or at least look for a showing, something that he can take back to the lab, something that will give him the opportunity to stake, to say, "This little area surrounded by posts is my claim," but be unable to do it? Sure, he can live in sin under the existing legislation. If it so happens it is in July that his licence for one year expires, and it also happens that under the existing act if the licence expires he cannot stake, how the heck, if I may be so bold and we are talking about working people; in front of such a challenge, is he going to get an interest in the claim? If the requirement to acquire an interest is that his licence has to be in good standing on 11 July, and his licence expired yesterday or the day before, how can he do it? It simply does not make sense.

The minister has recognized that. So now he is saying that actually you do not really need a licence to establish an interest, but we will help you; we will give you a five-year licence. Instead of going back and forth every year, you will take it for five years. It is a small, small thing, if you wish, but certainly it recognizes that it needed to be done.

Our party will be supporting the proposed legislation. There were some loose ends; a few small amendments will have to be introduced. So in view of the minor flaws, we took the liberty of going to the minister's office and visiting with his so-called mine rescue team, and pointed out the error of his ways, but only in terms of a housekeeping matter to make the bill more functional. We availed ourselves of the opportunity to point that out and they have assured me that will go to the minister's desk and that he will be presenting amendments to this House when we reach clause-by-clause. I understand, tentatively, there is a tacit agreement that will be perhaps next week, next Wednesday, reminding, of course, about next Wednesday being, as you well know, Mr Speaker, the day before our historical convention to take place in Winnipeg. So if it is not next Wednesday, it will have to go to the following Monday.

The highlight of the bill, certainly, is before you extract, before you take that first shovel out of the ground, you will have to have a plan of attack. You will have to tell the people, the government, the people of Ontario, the people in those respective neighbourhoods, what specific plans you have to address the environment. That is before you are even allowed to do so. I guess, above all, that is the focus, the highlight of the bill. I have listened really long and hard, and I have watched the minister carefully, and I was somewhat shocked.

The departure of yesteryear that industry welcomes, welcomes that vision, by and large is appreciated. There was some caution, some people said: "Well, I do not know how it is going to function. I do not know if I am willing, on a marginal operation, to commit that much money for the day when it ceases to exist." By and large those movers and shakers, if you wish, people who will invest in those mines are saying, "Well, yeah." In fact, I have heard someone, and I will not divulge the source, say, "It is about time. We are ready for it. We are ready to tell you in 15, 20, 25 years, when we are looking at gravel, when you can no longer extract copper, zinc, silver, lead, platinum, nickel and other minerals that Ontario is so blessed with, that we will leave an environment that we can all be proud of."

There is a realization that when you stake a claim, you do assessment work because the existing act requires that if you work a claim, which is a certain area, that in order to keep your claim year after year, you have to do some work. Over the years, people were very innovative, very imaginative, in devising all kinds of rigmaroles, of schemes, of scams, that would abide, perhaps, by the intent and the spirit of the agreement, but had little significance in terms of assessment dollars.

The minister says to those people: "You are going to work your claim. It is a condition, but the assessment work will be gauged on a dollar basis." I think that is a good move because it is no longer an invitation to sin, if you wish. The minister has to mean what he says, put his money forward. Let's get the calculator out, then we want to wish him well.

1520

Another aspect of the bill which is interesting is the staking practices. It is quick moving. The world is not perfect. Mining is very expedient. It has been said, it has been reported and recorded that some people, some entrepreneurs in haste would stake a claim. Another entrepreneur, with equal haste, would jump the claim. It is called

claim jumping, and if you have an interesting find, some showing, this could be a mine today.

Well, hypothetically of course—I should be so fortunate—I could let you do the work and a year and two years after, when you tell me that you start bunching your holes and you come up with assays that are very, very interesting and your tonnage multiplies quickly, I could jump the claim. Let's say you have another Hemlo gold mine, you have a sediment formation. Your holes are coming up, a testing shows that you have an intersection showing 0.29 gold to the ton so for every four tons that you get out of there, you will get one ounce. So you go to your geologist and you ask him: How big is that? How extensive is that body? He tells you that it still open-ended but it is a sediment formation.

We can use the base mining method. We do not have to chase the proverbial vein. Our cost is US\$116 an ounce. So you take a look at the paper, the futures market, and you see where London is opening this morning. What did it close at in New York last night? It closed at four hundred and some odd dollars an ounce. Then remember, I could jump that claim. I could let you do all the work and then I could say that your staking has not been done properly.

The Minister of Mines (Mr O'Neil) knows that, so he now tells me that I can only do it for one year, that I cannot take advantage of the entrepreneurial spirit, and wait until they do all the work and then claim that the policy was the order of the day and that it is my mine, not only the interest in the ground, but that it is my mine. Again, well done, very simple.

It brings to mind, why has it not been done before? It is not the minister's fault. It would be unfair to say to the previous administration that was there for 42 years. But when you go back to 1906, mind you, there was no need to rectify or to amend the legislation. I think it means that the mining industry has been successful in dealing with a somewhat archaic act, a somewhat, as we say in French, « désuète, démodée » act that reflects yesteryears.

You know the minister almost jumped a century in his opening remarks and I heard him; he mentioned that as we enter the "21st century." I mean this thing goes back to 1906. He has almost jumped one. The minister carries his age very well. But again going back, those people should be commended. They have been able, in spite of the obvious flaws in the Mining Act, to keep the show on the road. They have been able to keep mining alive.

Not departing from the subject matter being addressed which is second reading of Bill 71, An Act to amend the Mining Act, I want to present an announcement that is on the press at the present time and it was faxed to me. We are so appreciative of modern technology. The Thunder Bay Times-News/Chronicle-Journal, I know there is a member in the gallery who pays us the compliment of a visit, who knows where Thunder Bay is, a former councillor, member of the school board, and we are getting some of the money back—

Mr Philip: I know where Thunder Bay is.

Mr Pouliot: The member knows where Thunder Bay is.

Mr Philip: I used to teach in Thunder Bay.

Mr Pouliot: Perhaps the future Ombudsman of the province of Ontario.

But the announcement deals with four-laning to Nipigon starting in 1993 and I want to make this public. I want the good people who have the patience in northwestern Ontario to listen to their representative. They know the kind of mission, the kind of crusade we have been mounting for the past five years over which we have asked the government for the money that comes out of resources. We want some of the money back that comes out of forestry and mining, two of the most important economic components of this province, and we are resource-based.

Life is full of surprises. I am very happily surprised. I have said before when I have asked the government, that I would be among the first ones upon being the recipient of good news and I know that this is official—I know the government cannot deny this, that four-laning to Nipigon, that is from the city of Thunder Bay and it starts in 1993. Maybe there is a mistake and it should read 1990 or 1991.

I think this should be an official document now because the Time-News has been informing people of their duty for a number of years. The Times-News is aware of the massive tax dollars that go from the northern economy to enrich the lives of people in southern Ontario.

The people in northwestern Ontario have been talking about four-laning for a number of years and today they have asked me on their behalf to hold the government to their commitment and to commend the government because a portion of what we have been sending down south for years is finally coming back. What a coincidence that, on the very same day, well done, systematic and deliberate, there is not one, but two, pieces of good news.

I have to give it to the minister. I am very proud. The minister is standing tall today. On the very same day that he introduces significant amendments to Bill 71, to the Mining Act, he ups the ante, he goes one more time and he says we are going to spend \$270 million to four-lane, in recognition of service from the mining industry to the south where some of the money is coming back.

My hat goes off to the minister for a job well done.

Mr Philip: That is only because we have a good member in Lake Nipigon.

Mr Pouliot: I do not intend to take credit for lobbying. I have done my job here. Much more important, the people will be getting the services they deserve. Members come and go, it matters little.

We have some concerns that were not addressed in the proposed legislation, in Bill 71. I shared half an hour with Frank Beardy, member of Nishnawbe-Aski Nation, Treaty 9. He has also been the chief of Muskrat Dam in northwestern Ontario. Muskrat Dam is not a band. They evolved some years ago from band to reserve status.

I want the minister to share with me a true story concerning Chief Levi McKay, Big Trout Lake. There are 1,000 people there. Chief Harvey Yesno is chief of about 800 people in Fort Hope. Levi McKay is in Big Trout Lake. Chief Frank Beardy, is one of the most respected members of the native community, very progressive, always willing to encourage peaceful co-existence, most anxious to join the economic mainstream, with no wish to assimilate, and I cannot blame him. They should not have to, but they would welcome some integration if they had a better say in running their economic affairs.

A short while back, coming back to Mr Beardy and Muskrat Dam, our first Canadians noticed that drilling activity was taking place right outside of the reserve. Imagine the audacity of a company going very near in remote areas near native land, a place you can call your home in a small community, without informing the natives. Were the elders ever notified? Were they advised of how they would be impacted by the proposed mining development? Were the members of the band council, the Matriach, ever consulted? Were they ever offered to have their own state? No, no, no, no. Suffice it that one mining company, among others—and there have been others—saw fit, simply because the ground, after geophysical survey, some groundwork, was right outside the reserve.

1530

Well, the population is the fastest growing of all stocks, if you wish, in that context in North America. Our native population is exploding, and I think that is good news. The community is not a land base. The reserves barely suffice. They cannot accommodate people under Bill C-31. People who have established a recent connection cannot go back to the land. It is a small community. They are looking for a land base. Many of their land claims have not been addressed. They take years, decades, but it is coming, and so is self-government.

Is it not normal that when you have—well, take yourself, Mr Speaker. Put yourself as chairman of an exploration company. Your dream is to open a mine one day or to have enough showings so that you can sell the interest that you have on that ground to the big guys so that they will put that into operation. No problem. Would you not be advised, if you are going to have, you know, a clear conscience, and also for the good functioning of your operations, that you would have the major players in place; that you would invite them, you would inform them, you would assist them because you are on their land? If it is not today, it may well be tomorrow by virtue of the settlement of a land claim.

I would have liked to have seen a clause, or even in the preamble, in the compendium, if you wish, dealing with the need to recognize what has taken place today and will continue to take place tomorrow. Not only is it a normal reaction, I think it would have shown some innovation, some imagination on the part of the ministry. The industry would have welcomed it, because the people—back to Muskrat Dam—have been asked to leave. They folded their tents and out they went. Maybe there was potential for some reserves, for a mine there, for economic prosperity. What I am saying in matters of this kind is, you let the people who are in place decide, because it is their land.

You know, Mr Speaker, if you have a prospect in your backyard, you assume, I am sure, in the great riding of Oshawa, that you must own mineral rights on your property. I am sure that you could speak at some length regarding mineral rights in the municipality of Oshawa, but, no, please. I know that each has a duty to perform, and with respect, I know that you certainly have the answer and you could offer some good advice to the House as to the right of an owner to potential mineral wealth—oil, gas, gold, silver, platinum—on their his property.

On behalf of our caucus, I have been asked to review the proposed mining act. We have, I am sure, many speakers from the Progressive Conservative Party who would wish to participate. It is my understanding that they are at the present time having a caucus meeting to review the order of speakers. It is a complex bill; it is not easy. It is not easy for those who do not have an interest in mining activities in Ontario; and why should they? People are busy. Not only do they claim so, but they are quite busy. I know that in their frantic search to associate flaws, shortcomings perhaps, and some pitfalls with the proposed legislation, they will be hard pressed to find any. Our party will be supporting.

It is my understanding that there has been a tacit agreement to review the proposed legislation on a clause-by-clause basis. The minister is aware of our participation with his mine rescue team, if you wish, or people working in the ministerial office. They are aware of our concerns. There are minor concerns and will surface in the form of amendments. The minister will present the House with our concerns in the form of minor amendments, I am told, next Wednesday. We will readily recognize those amendments. Well, very much so, and why not? We know they will make the legislation a better piece of work.

I want to encourage the minister to highlight—and I challenge the minister to do that because this is good work—and print the document. I know it is going to cost a few dollars. I try to appreciate the minister's concern about value for money, but simplification of the highlights in the northern press, and elsewhere perhaps where mining is a possibility, would do a great deal to say, "Look, we've done something right here." It is not too often that the government has the opposition in this House, because we seldom have the opportunity to agree with it. I mean, this is not a damage-control document. This is a document that goes forward.

I have presented those thoughts to our friends from the third party and have invited them to look seriously at our amendments, and they have assured me that they would be meeting. In fact, they are meeting right now to find some ways of siding, of perhaps making this unanimous, a voice vote.

I could on for a long time. I like mining. I have spent 20 years of my life working in the mining sector. You do your job. You punch the clock, if you wish. My job was one of a tradesman flotation operator; well, separating metal. You know you would depress and promote minerals

in a base metal mine, a very good producer, a very good contributor to the Ontario economy. Copper, fairly high grade, very good proven ore reserve, good established rate of production; zinc, lead, very high silver and a trace of gold that barely pay for transportation; 4,000 tonnes a day, about 235 to 240 tonnes an hour. I am sure the people who have closed circuit of the committee as it reviews the Mining Amendment Act are listening very intently.

Back to Noranda mines, Geco division, located in Manitouwadge, sometimes when we had some time off work—at work, that is. I can maybe have a secret with members that things were fairly well mechanized. Sometimes we would have time for a coffee break. We were saying: "What do we do? Look at the trailer court that we have. Look at our sewer and water system and look at all that money that is being taken out of here on a daily basis." Every shift there is a lot of money being taken out. Where is it going? We could say, "It's going nowhere, except to southern Ontario. When are we going to get some back?"

Again, as I mentioned at the beginning, when I see that the government will be spending—and I have talked this afternoon to the Minister of Education, who is the former Minister of Mines—this is no more than one hour old, and I am asking one of the most respected members in this House—I have asked him for the past four and a half years, the short time that I have been here, when we have had a chance to chat, about the money leaving the north with our forestry, our mining and coming down south. We always have to get up on our feet and say, "When is justice, when is fairness going to prevail?"

1540

So I was very happy to command one of the front four, as they are so often referred to—

Hon Mr Conway: Do they still call us that?

Mr Pouliot: —and mention to the former Minister of Mines and government House leader, now the born-again Minister of Education—I understand he has problems with different bank accounts that are going to be descending upon him later on, like two bank accounts, one with \$14 billion of teachers' pay—it could be northern teachers whose husbands work in the mines—and not having the *présence d'esprit* to transfer from the \$14 billion to put into the other account, as you would do, Mr Speaker. It is common sense, is it not? You have two accounts, one is overdrafted, you put it in the other.

Again, I said to the minister, "I will be the first one, member for Renfrew North, Minister of

Education, one of the, let's say, four most respected, powerful politicians in the province of Ontario, a future candidate perhaps for the leadership"—rumour has it that we could be shocked in the not-too-distant future. A draft would be very popular, and the Premier, who has just returned from an extended holiday, I mean a trip, to promote Ontario mining and industry in Europe—I said to the former Minister of Mines, "The money is coming back, thanks to you," and to the Minister of Transportation (Mr Wrye).

When I saw this afternoon by fax this firm commitment of the government that four-laning to Nipigon starts in 1993, I mean, now this is a commitment. Well, 1993, yes. We would have preferred 1991. It should have started five years ago, but we have learned to be patient and we have also learned to recognize when a project of \$270 million—and this is what the Times News, whose mandate is to inform the public in a nonpartisan way.

I am really privileged this afternoon. Not only, first, good news; we are here to lend support to the government for the introduction of its mining act and we are here to celebrate the declaration that we will have a four-lane highway between Thunder Bay and Nipigon, at the latest, in 1993.

It is somewhat embarrassing, but I must say that \$270 million is slightly more than a pittance. I am thinking of the men and women who extracted the mineral out of our mines, who chose to go up north to make a contribution to work in our forests, to work in our mines, who wanted perhaps to stay one or two years and ended up passing five, 10, 15, 20 and 25 years, exporting the work, if you wish, the resources; a few years after, exporting their sons and daughters to the colleges and universities of this great province because we did not have the population to justify facilities. As a grand finale, if you wish, after their life of toiling in those mines, where are those people? They are in other communities.

They remember the contribution that they made. They know it has not been made in vain. They went with their forte. Many of the communities are 20, 25 years old. The mine is 25 years old. It is their reason for being. It is the reason for the community's being there. If one is more than 25 years old, one was therefore not born there.

Unfortunately, because of infrastructures not being what they should be by way of not having always received the recognition that we deserve for our contribution, if one is more than 65, one sort of does not belong there. It is a place for

work. We were given little chance to establish roots. The mineral went. We are that much closer to extinction. Members should remember that. We went through that. The minute that we take one shovelful out of the ground, it is one shovelful less, and then we are that much closer. It is a condition that one accepts in advance.

Sometimes one's work life, or one's expectation of a work life, will pretty well match the duration of the mine, but one came here to work in the mine. Most people do not gravitate towards the north for the climate or, although we are getting more, to be exposed to culture. It is difficult to have theatre plays. It is difficult to have operas. It is impossible to have universities in small places. A full-fledged hospital is nonexistent in others. We want those services; not all of them, but some of them.

We are proud of what we do. We are proud of our contribution. We work hard. We enjoy our friends. We are very resourceful. We are very close as communities. But we know and we appreciate what is going on down south and we welcome some reciprocity. We welcome some recognition, recognition for our effort, recognition that we need to diversify our economy. That is not the duty of the Mining Amendment Act, I know, but we need to be ready for the day when that last shovelful gets out of the ground, because they will close the mine. We cannot make copper out of gravel.

When the last ounce of gold is gone, this mining act refers to an operative clause "with tailings." That could go a long time. I am sure the government House leader, if he will bear with me, would signify to me which part of the contribution to society that he wishes to be addressed. Could we go on to talk about something else?

Interjection.

Mr Pouliot: I know, but by convention—not by convention; by tradition, Mr Speaker, sometimes you have allowed some flexibility, and you are at your best when, in accordance with the rules, the human dimension was mentioned in this House.

We were talking about people; in this case, the people of the north, about their contribution, about wanting the chance, while the Mining Amendment Act is being talked about, is being debated in the House, to mention: "Give us the resources to go past the Mining Act. This governs the operations, the finding and operation of mines. Give us the tools so that when we go past this, when there is no longer a mine, what do we do to diversify our economy?"

We only have the five, 10, 15, 20 years—if we are lucky a few more years—to do it. We have to do it when our forte is going strong, not when we are weak; when tax money is being generated from the mining revenue and from the people who work in those mines, to put some back in the communities for the day when the mine is no longer in existence so that we will still be able to look to the future with confidence and we will not have to board up our houses. Because, like you, Mr Speaker, we have sunk part of our bodies in there, part of our souls, part of our toiling, part of our labour in sheltering. But if there are no takers because the law of supply and demand has been located, has been altered, there are no takers because the law of supply and demand has been dislocated, has been altered, it is becoming a ghost town. Then we walk away, and that is not good.

It means we have not done our homework totally, that product utilization has not been employed to its fullest, that we could have done better during good times. During those fat years, we could have put some money aside, established land banks, had some infrastructure, to see what we could do for secondary industry; also to see what we could do to find more mines, to develop tourism, to develop a road component, a road network, as an important component. We could have done all that. It is called planning.

1550

This begins to, but only with certain parameters, only with the mining. The same effort should go beyond that. Our problem is not where we are going to be in five years. The geologists will tell you where we will be in five years. That is their job. But where are the communities going to be after the mines close?

The problems with the north that we have are economic problems, and our population is decreasing. It is decreasing because governments have not—not that they have refused to do it—paid enough attention to sound planning: resources, land banks, economic incentives, things that are reasonable, using Ontario Hydro as a tool for economic investment. When you have a surplus capacity, you tell people: “We will give you a little bit of a bonus so you can live there. It is going to be easier for you to live there.”

What about a tax break for the citizens and for the small corporations, the small business people, the middle class that feels saturated, that feels under a state of siege? They feel the world has descended upon them, that they have responsibilities to support everyone, that they have less tax dollars to grow and it costs more to

live up north. That would work very well, thank you.

Look at provincial tax on gasoline. We need a car up there. What is wrong with taking two cents off every litre in provincial tax? It would not affect the revenues of the province a great deal but it would mean: “One second here, I am a northerner. Those people are helping me. Those people realize that it is colder up north. I have to warm up the car. The car is a necessity and the distances between towns, villages and cities is greater than anywhere else.”

My colleagues from the Conservatives, who are still meeting frantically to address the mining bill, would agree with me. So much needs to be done. I could not miss this opportunity to talk about—when we talk about the mining bill, automatically we have to talk about mining communities. We do not have a General Motors across the street. That is all we have. You have a paper mill in some towns; in some other towns you have services. They had a mine yesteryear and the mine closed. The government has been cognizant and has recognized the need to establish sort of a district system of services so that they stay alive; they are very rich. But they could have done better. They could have done a lot better.

I recently met with the Northwestern Ontario Associated Chambers of Commerce. They wanted to talk about forest utilization. They wanted to stop mining the forest. They wanted to keep farming it in some parts. They wanted to know why one mill in Nipigon, Multiply, would have to go elsewhere to find quality product, because that quality product on somebody's wood reserve was being used for pulp. It does not make any sense. People have to get together, have to see where we are getting the best utilization of the product, so that in terms of forestry, it regenerates, so that tomorrow will look at least as good as today and give us more time, more opportunities, more resources to plan and to diversify.

It is not too often in this House that the opposition has a chance to agree with the government on legislation affecting human lives. Not too often. It is certainly not the fault of the opposition, I am convinced of that. Either the legislation being proposed has been influenced by powerful interests, yes, or it is so badly flawed that it has been cast in haste and in hell and requires 50—oh, the words are strong, Mr Speaker, but believe me, you too have been on your feet speaking sincerely, diligently, about flawed legislation where once you went through

the amendments, you could hardly begin to recognize the original bill.

Remember housing? Oh, that was one of them. Yesterday right here in this House, 24½ hours ago, the Minister of Health (Mrs Caplan) and I think it was Bill 147. I was having a chat with my colleagues, and we were talking about the virtues of that bill. A colleague, an honourable member was on his feet trying to justify a bill that was flawed, and we were absorbed, talking about the many amendments here. There were three of us talking—that often takes place in this House—and we agonized over that bill because as we looked at the amendments, we could not recognize the original bill. Even in intent and spirit, we could not recognize it.

Little wonder then that the opposition, invited to criticize in a positive way and to make positive recommendations, sometimes—especially with this government, because it has been said that the government that prevailed for 42 years, to 1985, was perhaps viewed as an arrogant conglomerate, if you wish, or group of politicians that had been there for so many years that they took governing for granted, a divine right. But you could always tell where they stood. They had a plan of action. The present government cannot be painted, if you wish, with the same brush.

Back to the mining bill. The minister says, “I thought we were going to talk about the mining bill.” I have talked about the mining bill for 20 years. When the minister said, “I thought we were going to talk about the mining bill,” it was never done from the comfort of an office at a first ministers’ conference on mining.

We will be supporting the bill in its entirety. We will recognize and look forward to the amendments that we will reach on a clause-by-clause basis. I stand today on behalf of our party to say, yes, we are supporting it and we will welcome the comments from the minister.

1600

Hon Mr Ward: I am delighted to have this opportunity to take part in the second reading debate of Bill 71. As honourable members will know, I do not have a lot of mines in my riding, but I certainly do appreciate just what a contribution the mining industry makes to the entire province. Both my colleague the member for Wentworth East (Ms Collins) and I represent a very important industrial district in this province, the industrial heartland indeed of Canada, with two of the major steel mills in North America. Naturally, the mining industry here in Ontario contributes greatly to that

industrial heartland and to those particular industries.

Recently, I had the opportunity to travel with my colleague the Minister of Mines to Sudbury where we were opening at Laurentian University the site of the new Ministry of Mines’ facilities and some of the testing laboratories. It happened to be just a day or so after he introduced these very important amendments to the Mining Act, and certainly the response up there was absolutely overwhelming.

I read with interest the comments of my colleagues from both opposition parties. There is no question that these amendments are long overdue and they certainly reflect the interests of the mining industry, being the result of very extensive consultation, no doubt begun by my colleague the member for Renfrew North (Mr Conway) during his tenure as the Minister of Mines.

This bill has indeed had a long history. The green paper, I believe, was produced some three years ago. The bill was introduced last spring and, frankly, the government feels that it is of such importance that it should be proceeded with as quickly and as expeditiously as possible. Yet at the same time we want to ensure that there is plenty of time for additional inputs from people such as the member for Lake Nipigon (Mr Pouliot) and the member for Cochrane South (Mr Pope) who was sitting in his—oh, I guess he is not in his chair right now.

But clearly the contribution that this industry makes to the province is not insignificant at all. As the minister indicated in his opening statement, some \$7 billion a year goes into the provincial economy through the mining industry and over 85,000 jobs are created through this industry. I am delighted that the minister has seen fit to bring forward amendments that will continue to ensure that this industry in Ontario remains competitive. He has brought in legislation which ensures that the environmental protection that my colleague the member for Lake Nipigon has talked about will be built into the requirements of the industry.

Now, I know that there are many members in this House who would like to continue to take part in this debate, and I too have some further comments. However, due to some arrangements and some scheduling matters that were discussed earlier today by the House leader, I think it would be appropriate at this time if I adjourn the debate.

On motion by Mr Ward, the debate was adjourned.

TEACHERS' PENSION ACT, 1989

Mr Conway moved second reading of Bill 66, An Act to revise the Teachers' Superannuation Act, 1983 and to make related amendments to the Teaching Profession Act.

Hon Mr Conway: I would like to take some few moments this afternoon to address the issues contained in Bill 66, a matter that I know has been of lively interest to members in the chamber and indeed to a number who joined us this afternoon in the gallery.

The whole question of pension reform is something about which this government has expressed a desire to reform. The Treasurer's budget of earlier this year indicated that in both the areas of public service and teachers' pensions we wanted to make a number of changes, a number of reforms that would have as their essential characteristic the strengthening of, the securing of very important benefits that I know every member of the Legislature wants to join in support of.

I just have to indicate to you, Mr Speaker, and to my colleagues in the House that there has been much debate over the last number of months. I dare say that out in those Kendal hills, you perhaps have received some correspondence and some representation yourself from concerned teachers and others in the community who have wanted to impress upon you their views about this aspect of public policy.

I know that I can speak for all honourable members when I say that over the last number of months, there has been, as I said earlier, a lively interest, particularly in the teaching profession, about this whole question of the pension reform that the Treasurer (Mr R. F. Nixon) has indicated as recently as in his budget of this spring.

I want to make plain at the outset, through you to the House, Mr Speaker, and to anyone who should be reading these debates, that the purpose of Bill 66 is essentially to put the teachers' pension plan in this province on a sound financial footing and to ensure that the benefits that have been secured, particularly the very important benefit of inflation protection, is in fact properly secured into the future.

We are, of course, in this policy initiative, looking at other aspects of reform, and one of the very important aspects of this initiative is a new model for the governance of the teachers' pension plan. It is a matter that has been much talked about over the last number of months and in fact for some time before that as well.

We want in this legislation as well to ensure that the teachers' pension plan meets the

standards that have been set by the Ontario Pension Benefits Act, 1987. I might add that the legislation and the policy which informs it seek to provide some important benefit improvements.

I want to take a few moments this afternoon to indicate to you the kind of discussion that has been undertaken over the past number of months by the government of Ontario in respect of the issue before us this afternoon. I want to pay tribute to my colleague the Minister of Government Services (Mr Ward), the now House leader, the member for Wentworth North who, as Minister of Education, played a very important role along with the Treasurer in bringing the pension policy, particularly the teacher area, to the point where I could receive it in August 1989.

There has been, quite frankly, a very active dialogue over many months between the government and the teaching profession about how we might proceed to do the things that certainly we in government particularly but, to be fair, I think the teaching profession also were anxious to address.

I repeat, for me, as I have said earlier, the single biggest objective in this policy is to make sure that a very good pension plan is put on a very sound and secure financial footing so that it can meet the expectations of it into the future. There should be no one in this House or outside who should imagine anything else. This is, in our view, a very good plan. It is a defined benefit plan, and we want to ensure that the benefits which it offers are going to be properly secured into the future.

There has been a very lively discussion, as I said, between the government and the Ontario Teachers' Federation at the corporate level and a very active discussion between local members of the Legislature and local representatives of the teaching profession at the community or constituency level over the past number of months.

There have been other very significant manifestations of interest in this policy as well. My mind turns to a day earlier this year in the city of Hamilton where a goodly number of people gathered to indicate their interest in the policy issue before us this afternoon.

1610

I think it is fair to say that when the government entered into these negotiations, we expected there would be a lively interest. We have certainly not been disappointed about that. We were very anxious to resolve the financial issues as we saw them. We were particularly interested in addressing a number of the concerns teachers have made over the years about the

governance of the plan and a number of the aspects of plan administration.

Discussions, as I indicated, have touched upon benefit improvements. I might add that the desire of the government has certainly been real in making sure that we make changes in this plan that conform with the requirements of the Pension Benefits Act passed a couple of years ago by the Legislature.

I think it is also fair to say that there was progress on a variety of these issues. I want to say how much I personally valued the participation of the Ontario Teachers' Federation, not just at the corporate level but at the local and regional level as well. I can tell members I have benefited from the submissions made to me at the local and regional level, as I know my friends the member for Windsor-Riverside (Mr D. S. Cooke), the member for Etobicoke-Rexdale (Mr Philip) and the member for Durham East (Mr Cureatz) have as well.

I also want to commend the staff of the Ontario Ministry of Education and the Ministry of Treasury and Economics, some of whom are with us this afternoon, because they too have worked long and hard to bring about a satisfactory resolution to the several issues that were before those particular groups.

I myself have met as recently as last week on 15 November—that was last week, I think—with the representatives of the Ontario Teachers' Federation where we discussed a number of issues.

I think it is fair to say that at this point, after months of discussion and with significant progress on a number of the issues, there remain a couple of key areas where we are not at one.

Those two areas, I think, are best described as that there is not yet agreement as to a model for the partnership alternative in terms of plan governance, though there has been a lot of discussion, and a second area of outstanding dispute or nonagreement remains on the whole question of a formula for resolving what we believe to be the growing financial difficulty or problem that has been pointed to by a number of people who over the past number of years have looked at the issue.

Now, I think it is important to say to you, Mr Speaker, and to my colleagues in the House that we are going to hopefully have a good discussion at second reading. I can see my friend the member for Etobicoke-Rexdale, preparing to enter this debate, and I know there will be other members next week who will want to participate at second reading. After the second reading

debate I hope we are going to proceed with some dispatch to the standing committee on social development, I believe, to take the matter to the committee stage. We are very anxious to have a good discussion about the policy and about the issues that are before us.

But I must say, and I say it in the absence of my friend and colleague the Treasurer, that the government is anxious to proceed because in our view there are financial issues that must be addressed. There is simply no doubt in our mind that if we do not move with some dispatch to resolve these questions, the so-called unfunded liability mounts as we speak. It is a very real concern to me as a responsible minister of the crown that in the face of the evidence we have, this pension plan, particularly on its indexation account, has now a multibillion-dollar unfunded liability.

I am even prepared to say that in the business of actuarial analysis, there is probably some room to debate just how large an unfunded liability there is, but I do not think there is any question, certainly in the view of the government, that as of now that unfunded liability is in the billions of dollars and it grows as we speak.

One of the most important things the government of Ontario has done in the discussions over the past number of months has been to say to the teaching profession that we, as the government, will accept full responsibility for the unfunded liability that has developed from the mid-1970s, from 1976, through to this point, and that is a very substantial obligation that the government is accepting.

On behalf of the people of Ontario, we will pay that obligation, however great and it is great in our view, but we must move with some dispatch to address the problems in this plan that have given rise to that unfunded liability.

So that the House has an understanding of just how serious this matter is, if we were not to address it this year, but let it ride for months and perhaps for another year, we would only experience very substantial additional hundreds of millions of dollars added to that obligation we are going to accept on behalf of the people of Ontario.

I want to talk about a number of the issues that are addressed in Bill 66 with respect to the policy that underpins it. The first issue is the funding methodology for this plan.

We propose in this policy and in this legislation to combine the basic teachers' pension fund with the indexation fund. As we combine those two elements of the teachers'

pension arrangement, in light of the concern we have about the indexation, a very significant benefit that was agreed to over a decade ago, and in light of the fact that our assessment of the data strongly supports the argument that this indexation is not properly secured, we are going to be increasing, as a result of this legislation, the contribution rate by one per cent for both the members of the plan and for the government.

I want to underscore why it is we are increasing the contribution rate. It is our view that contribution rate must be increased to more adequately provide for and sustain the current level of inflation protection that is part of this plan, or to put it another way, if we do not increase the contribution rate, the indexation capacity of this fund will be exhausted soon after the turn of the century.

I simply feel that in the light of the Rowan, Coward and Slater reports, all of which in their own way indicated the inadequacy of the existing funding arrangements, we must make this change to ensure that this important and good plan is able to meet the expectations of it into the future. Not to do so, I think would be a very serious abdication of our responsibility as members of the assembly.

1620

I know that there are those in the community, certainly those in the teaching profession, who will say, "To have a contribution rate without a benefit increase is very difficult for us to accept." I will talk a little bit about some of the benefit improvements this policy incorporates a little bit later, but I want to make the point again that one of the most significant benefits that I believe any pension plan can offer is inflation protection. It is none the less a very expensive benefit to maintain. We in government believe on the basis of a fair bit of outside analysis that we do not now have a teachers' pension plan that has in it an adequate financing capacity to meet the indexation that has been offered.

I think it is also fair to say that when one looks back to the mid-1970s—I think this decision was taken before you, Mr Speaker, or our friend the member for Etobicoke-Rexdale or myself joined this assembly.

Mr Philip: When was that?

Hon Mr Conway: We joined, as I remember, all three of us, on 18 September. If my memory serves me correctly, and I might be out a little bit on this, I think this arrangement predated our arrival by a little bit. One might wonder why, but I simply have to point out that when one looks back to the establishment of what we call SABA,

the Superannuation Adjustment Benefits Act, and when one looks at the way in which that arrangement was established, one could wonder about what kind of financial planning honourable members, particularly the then executive council, were guided by as they put in place a plan which in the mid-1970s offered full indexation to all teachers who had retired and who were part of the plan at that point in time. That is a not insignificant benefit, and of course it is now part of why it is we are here making the changes we are making.

My friend the member for Middlesex (Mr Reycraft), who unfortunately is absent this afternoon, is someone who you know, Mr Speaker, as I do, is much more expert on matters of pension policy than I shall ever be. He has pointed out to me situations where friends of his in the teaching profession who retire—I think one case comes to mind.

One teacher retired in 1974 with a pension of something like \$14,000, who then benefited because of the indexation provisions of SABA a few years later without paying anything additional for that benefit. That teacher, who retired pre-SABA with a \$14,000 pension, has seen over that 15-year interval his pension rise from something like \$14,000 to about \$31,000. That is a very significant benefit. I am very happy to know that there is a teacher, I think in Middlesex, who has had that experience. I simply want to say that it is that kind of experience that has put the fund in the financial difficulty in which we now find it.

I said the other night when I met the OTF that I do not in any way mean this past experience as anything of a criticism of OTF. In fact, I think it is quite clear, when one looks back to the mid-1970 situation, that one is quite impressed at how well, in the interaction between government and the teaching profession, OTF did in those negotiations. I repeat that I have some genuine admiration for that encounter. I must say I am not happy about now having to make changes in this plan that come as something of a shock to teachers out there who are understandably concerned about having to pay an additional amount of their salary towards securing, in our view, the very important indexation into the future.

I also want to say to members of the assembly, because I know they have faced what I have faced, how is it that the government is being fair in all of this? I think our friend the Treasurer has been extremely fair and very generous in one very important regard; that is, we all acknowl-

edge, I believe, that as a result of the problems I just spoke about there is an unfunded liability. Our most recent estimates of that unfunded liability that built up between 1975-76 and 1989 are, I believe, in the \$4-billion range.

Good old—I cannot refer to him by name but our very good friend the member for Brant-Haldimand (Mr R. F. Nixon)—

Mrs Sullivan: I remember him well.

Hon Mr Conway: —of happy memory to the member for Halton Centre (Mrs Sullivan), has said, “Listen, we as government will accept that entire obligation.” I say to anyone watching this debate that I think it is a very generous thing when a minister of finance says, “I will accept a \$4-billion obligation that has developed as a result of a pension arrangement in which two significant parties—government and, in this case, the teaching profession—have a very real interest.

For any honourable members who have to speak to their constituents, particularly teachers who might rightly say, “What have you done?” I want it said in Wellington, Don Mills, Ottawa-Rideau or Oxford that the government has by virtue of Bill 66 done some very important things. We have secured a good pension plan and we are going to make it strong and viable into the future in a way that it can meet all that is expected of it, this defined benefit plan.

Moreover, the government has accepted fully the responsibility for the multibillion dollar accrued unfunded liability of that intervening 13-year or 14-year period. I think that in Wellington, Don Mills, Rexdale and Oshawa that would be viewed by the tax-paying public as not a bad deal, as a very generous compromise indeed.

I want to repeat that I do not want to force upon my good friends in the teaching profession an additional contribution rate. I would rather not do that. But I have accepted the analysis that says to me that without an increase in the contribution rate, the plan that is now in trouble will become even more shackled by difficulty because it will not be able to meet the inflation protection it offers, particularly through a decade where the attrition rate within the teaching profession is going to accelerate.

The bill and the policy also touch upon one of the irritants that I think have bothered teachers, at least in my experience over the time I have been a member. That, of course, is what it is this very significant pension fund can invest in. I dare say, Mr Speaker, that around the tea rooms you might frequent in Oshawa, you have probably heard it said that government is almost in a conflict of

interest because this very substantial fund, I think the second largest pension fund in the country, can only invest in government paper. It is not free to invest in marketable securities.

It has been felt for some time by the members of the teaching profession that it would be a fairer and better say if the teachers’ pension fund could invest in nongovernment securities, in marketable securities, and that is a change which we are making as a result of this policy and of this legislation. I gather it meets with the favour of my friend from Mount Forest.

1630

In recent times the fund has done not at all badly by having only the option of investing in government paper, as I like to call it. I think over the last couple of years the fund has done very well indeed by virtue of that relationship, but we have accepted the argument that has been advanced by many, and many in the teaching profession, that it would be appropriate to allow this fund to invest in something other than government securities.

As my friend the member for Etobicoke-Rexdale looks sagelike upon the Treasury bench, I want to turn to the next issue, and perhaps the most contentious issue for some in this debate; that is, the whole question of governance. There I think it is fair to say that we have had a very good discussion, a very active discussion indeed.

What the government has essentially said is that we are more than willing to explore three options. In fact, this legislation will have as part of it three governance options that will be put before the committee so that people who come to make presentations to the committee will have the opportunity to address the policy and to indicate which of the three options is of greatest appeal to the individual group.

Mr Speaker, as you smile, I want to quickly review the three proposed governance models that we have developed for plan management.

The first is a member-run plan, wherein the plan members would bear all of the rewards of future surpluses and the risks of future deficits. All plan management decisions would obviously be made by plan—read “teacher”—representatives. That is one model. Under that model, of course, the government simply makes the employer contribution and the management of the plan is entirely in the hands of the plan members.

I meant to do this a little earlier. One of the elements we sometimes forget in this whole debate is the annual contribution by the people of Ontario to the teachers’ superannuation account.

I know the chairman of the standing committee on public accounts is a very assiduous reader of the financial statements of this and any other government in the Dominion, and he will know that on an annual basis the government of Ontario is contributing, according to budget paper F in the most recent Ontario budget, an annual amount now in excess of \$500 million as the employer contribution to this fund.

That is not an insignificant contribution. When one looks at the expenditure profile for various departments in the government of Ontario, one is struck by the fact that if we look at our teacher pension contributions, I think for 1989-90, of something in the neighbourhood of some \$570-odd million, one realizes that is more than we will spend this year for the entire Ministry of Agriculture and Food, more than we will spend on the entire Ministry of the Attorney General, more than we will spend for the Ministry of Correctional Services, more than we will spend for Culture and Communications and, interestingly, more than we will spend for the Ministry of the Environment by a very substantial amount.

I think honourable members and people out there watching this debate or reading this Hansard would want me to repeat that: that we are making on their behalf an annual contribution, as the employer's share, of now in excess of a half-billion dollars, which is more, by a substantial amount, than the annual budget of the entire Ministry of the Environment. We view that as a very important contribution to a very worthwhile objective and a very good plan, and a plan that we want to maintain in its strength and in its traction.

The first of the government's options is, of course, the member-run plan. The second option, and I think it is fair to say this is the option about which we have been most actively engaged in terms of discussion, is the partnership option. I suspect you, Mr Speaker, have heard some of these discussions.

Essentially, in a partnership model, we would imagine that would be a plan where future surpluses or deficits would be shared equally by plan members and by the government. There would be equal sharing of the responsibility for managing the teachers' pension fund and a regular consultation about benefit provisions and the contribution rate and with some kind of feature to resolve differences that could very well develop as between the partners.

As recently as last week, when I met with the Ontario Teachers' Federation, it was clear to me that we were still not together on that concept of

partnership, though I have to tell you, Mr Speaker, the government is very interested in the partnership model. But to be fair and to be clear, Mr Speaker, two things that I know you would want me to be, I want to tell the House that the government is interested in a partnership that is a real partnership, and I really mean that. If partnership is going to be an option, and I believe it is, it has got to be a real partnership, sharing the risks and rewards and accepting the status of equal partners in the entire management of the plan.

We have had quite a lot of discussion about the last point I mentioned in outlining the partnership model, and that is, is there some kind of mechanism that we could agree upon to resolving differences of opinion in so far as plan management is concerned under that partnership model?

The final, or third, option that we have considered and that will be part of the package is the government sponsorship model, wherein government would remain the sole sponsor with the responsibility for future deficits and the right to any future surpluses. Under that arrangement government would have the majority control of the plan and fund management. I want to say that when we get to the committee, and certainly in the course of the debate at second reading it goes without saying, as the responsible minister I am going to be very interested in what honourable members have to say about the models of governance that I have indicated.

I have an open mind. In fact, I have some private views that I would not force upon the House, but I am very reasonable and I am very anxious to hear from members in the assembly, to hear from the committee, and particularly from people who will be submitting their views before the committee.

1640

We must understand what we are talking about. We are talking about a very substantial pension fund from which much is rightly expected by hundreds of thousands of teachers, both teaching and retired. We cannot fool around with this, it seems to me. We have to be very clear and very serious about what it is we are going to do because, I repeat, this is a defined benefit plan. People who participate will expect, and rightly so, that the benefits which are defined are going to be received.

I will tell members, when I have debated this with my friends in the teaching profession and colleagues in the House, there is a lot of agreement; but on areas like dispute resolution, areas like contribution rates, benefit improve-

ments, there are clearly differences of opinion that in some cases remain significant and that in my view simply must be settled before we complete the discussion because I, for one, will not see this multibillion-dollar fund placed in any kind of confusion. We cannot take that risk for the teachers out there who are going to depend very much on this plan to deliver what it is expected to deliver.

I have to tell members that if we cannot work out, as I hope we can, the first two alternatives, then we are certainly as a government going to be prepared to endorse the government-sponsored option because we feel that we simply cannot debate this for ever. To allow this debate to go on unresolved for additional months and perhaps years is only to transfer to the general taxpayer an even greater obligation than the \$4-billion unfunded liability obligation which that taxpayer is already going to have to accept as a result of the already-announced position of the Treasurer on the unfunded liability matter.

Bill 66 has been written in a way that if we were not, let us say, able to work out in the next while the partnership or the member-run model and that we were to go to the government-sponsored option, certainly Bill 66 contains a provision that we could perhaps very quickly evolve into the member-run or the partnership option at a day, hopefully, not too far into the future; the bill has been drawn to provide that flexibility.

I want to talk briefly about a number of other aspects of this particular policy and the change that it contains. Another area that I would like to quickly mention is that the bill will allow amendments to the plan in the future to be made without a return to the Legislature, and we feel that is consistent with good pension management. Certainly, if we find ourselves in a partnership situation, if the two partners can agree on changes, then they as mature adults should be allowed that opportunity and the time of the Legislature ought not to be taken up giving sanction where, quite frankly, under those arrangements sanction would not be required.

Moreover, there is the whole question of the need for greater speed than we have had in past arrangements where the Legislature is not always available to do some of what the plan managers might like to do. Just very briefly again, this legislative change will allow the plan to be amended in the future without recourse to the Legislature.

I mentioned at the outset that two years ago this Legislature passed the Pension Benefits Act,

and since January 1988 the teachers' superannuation fund has been, as I understand it, administered in conformity with the PBA. But we now want, as a result of this legislation, to ensure that the teachers' pension plan is in fact in all respects in conformity with those changes that were enacted a couple of years ago. That now means the changes that were occasioned by the passage of the Pension Benefits Act, 1987, the two-year vesting and the locking-in provisions, the 50 per cent cost-sharing rule, the 60 per cent survivor factor, will all be incorporated into this plan. I think many plan members will view that as a very positive step indeed.

I am not going to bore the House this afternoon by going through the buyback provisions in detail, but suffice it to say that there are improvements, in my view, contained in this legislation that will improve the buyback provisions. It has to do with such things as a new limit of seven years for any combination of leaves of absence plus a new parental leave factor that I think is very appropriate indeed.

I just want to point out that the legislation contains improvement in the buyback provisions which I think will be seen by plan members as not unimportant, as will the changes that make this a more portable pension plan. The portability factor is enhanced in a number of ways that we will talk about later, but the increased portability is a benefit that I view with some importance.

I am sorry that my friend the member for Oshawa (Mr Breaugh) has left us. One of the changes this legislation contains is very important. It would allow you, Mr Speaker, if you were a retired teacher with a certificate, to now teach for up to 95 days without there being any negative effect upon your pension. That is a very substantial improvement from the 20 days that was in place beforehand. Perhaps the member for Oshawa, when he returns to teaching, if that is his desire—it may not be; it is well understood that the—

Interjection.

Hon Mr Conway: That is not fair.

The re-employment of retired teachers, allowing retired teachers to teach up to 95 days in a school year without any negative effect on their pension, is a very real benefit to teachers and a real benefit, as far as I am concerned, to education because, as members know, we have had enrolment growth and in some communities we are facing a bit of a shortage in terms of qualified substitute teachers, for example. I think this change will be seen as a very positive one, particularly by retired teachers.

We have made other improvements having to do with the way in which the plan will treat part-time teachers and the way in which refunds are going to be paid out much more expeditiously than in the past.

Mr Speaker, I know you are a very reasonable fellow and you will understand that any policy which has the government accepting a multibillion-dollar unfunded liability, a policy which offers a range of management options, one of which is a member-run plan, another of which is a true partnership model, a policy which improves the benefits having to do with refunds, the treatment of part-time teachers, the improvements in portability, the treatment of retired teachers in so far as how much they can teach without there being a negative effect or any contribution being expected towards the pension.

1650

I think that policy is fair and reasonable and in some respects quite generous. I want to recommend it to colleagues in the House this afternoon. I want to invite the House to look very carefully at what is contained in the legislation and, as I repeat, the policy that informs it, because the changes that are being spoken of here are also in some real way a factor in the public service pensions that are being debated in this session as well.

I know very keenly of the interest in the teaching profession and I want to conclude my remarks this afternoon by indicating to the teachers of Ontario the government's view that this is a good plan. It is a plan that is in trouble. It is in trouble because of decisions taken a decade and a half ago that have lead to an indexation that is simply not adequately funded, not nearly adequately funded, to meet the obligations this fund contains. We must make change and the change must be sooner than later.

We are very anxious as a government to ensure that this good fund that has performed, all things considered, rather well over the decades will continue in good health and prosperity as it meets the challenge and the expectation of the 1990s and beyond. The policy will visit a number of benefit improvements to the thousands of plan members out in the community. In terms of governance, the executive council is quite prepared, seriously prepared, to look at those three options. I would repeat again that I am particularly interested in the partnership model, but I repeat, for me a partnership must be a partnership in a genuine sense.

Over the coming days and weeks we will look and listen to the responses that are offered in the

chamber and in committee, as we move forward this sitting to conclude this matter and ensure, as the new year dawns, that this reform we believe is so important to ensure the protection of a very important part of our social and economic wellbeing in this province is able to meet the several tests that have been placed before it.

Mr Philip: I always enjoy speeches of the present Minister of Education because he is always eloquent and, I think, a formidable opponent in debate. Therefore, I enjoy listening to him in the same way I used to enjoy listening to his colleague Dr Stuart Smith when he led that party.

I would like to start off by dealing with some of the comments the minister has just made and then I would like to deal in more detail with some of the contents of the bill. The minister talks about the need for a dialogue, the need for a partnership. As I listened to him I did not count, but he used the word partnership at least a dozen times. I may be wrong and it could be six or seven times, but it seemed to me that it was a word he used fairly frequently.

It seems to me that he says: "We have a crisis here. The crisis has been identified. We are an open government. We are giving three possible options. We are willing to enter into a partnership based on the desires of the two parties, namely, the government and those affected by the pension plan directly. A lot of what is done from here on depends on what is going to happen in that committee and on which of the three options we jointly decide."

I remind the minister that around this time last year—he was not the minister at the time, so I cannot blame him and indeed I cannot even blame him now, because one who understands the politics of this place realizes that it is not the Minister of Education, but rather the Treasurer who is calling the shots on this.

I recall that about this time last year, with maybe a month's difference—it was in the month of January as I recall—it was the government that broke off the negotiations on the superannuation, and specifically, it was the government representatives who failed to deal with the principle of a dispute-resolution mechanism as an essential element to an equal partnership. While this minister talks about partnership, in fact if we look at the chronology of what has happened in the so-called negotiations, or "dialogue" as the Treasurer prefers to refer to them, we see that it was a one-way dialogue in which the government walked out when it did not like what it was hearing.

In his opening speech, he talked about the various reports, the Coward report, the Slater report and the Rowan report, yet he failed to mention that it was the Slater report that accepted the general view that the government should accept responsibility for the unfunded liability related to the superannuation adjustment fund, and should enter into an amortization program over a period of some 15 to 25 years.

He talked about how the Slater report, and indeed the other reports he mentioned deal with the essential problem that there are liabilities in the fund right now and that this therefore is the justification for this legislation. But what he fails to deal with is that Coward, Slater and Rowan went beyond that and dealt with a number of other matters that could be called the methodology of dealing with the problem not just of the deficiencies in the present plan, but also with the running of the plan and the smoother operation of the plan.

To simply ignore or to take out of Slater what the government wants to take out to justify this legislation, and to ignore the other recommendations in Slater and to pretend they do not even exist—the minister did not address them—is somewhat less than one would expect. Of course, we will have an opportunity in committee to deal with that.

The minister has talked several times about reform, but reform in the democratic sense means consultation and consultation means more than simply sitting there and listening to the other side and saying no. Every day we see discussions about perestroika. We see a system where so-called democracy was really a form of manipulation and has not worked. In a democratic system, then, reform has to take into account not just the dialogue, not just the listening, but also action based on what is heard.

It also takes into account, if members look at perestroika, an idea of flexibility. Without flexibility and without a constant dialectic, if I may use a university or political science term, the rigidity comes in and the system breaks down. I think it is fair to say that we look at either capitalism and certain corporations that have failed, or indeed the communist system, we see that it is probably the lack of flexibility and the lack of consultation that has broken down the system. Even on paper, if actuarially you add up, if we do not deal with those other things, then the system breaks down.

1700

The minister talks about the need for a new model, but any model that I have looked at

suggests that you have to have an input. The most recent models that I was looking at and that we were struggling with, some 500 of us, on Monday and Tuesday of this week, were at the Canadian Comprehensive Auditing Foundation conference where I had the pleasure of addressing one of the sessions and at which we had some pretty high level—and I would say perhaps “brilliant” would not be an unreasonable term—people: deputy ministers and provincial auditors, not just from Canada, but also, as some of the members may have met today, from Australia and from a number of other countries.

I found it interesting that the provincial auditors had gone, in the development of their thinking, first from a kind of balancing the books which I would call a very statistical kind of actuarial approach, if you like, to a more of an auditing type of approach that deals with the concepts of comprehensive auditing and, more recently at our conference, with the whole idea of developing models by which evaluation can take place. The concept of evaluation in the models which they are struggling with only takes place if you have an input and an output that are constantly being evaluated and checked and touched on.

The member for Wentworth East (Ms Collins) will tell you that I guess I am one of the few members in this House who can actually take an interest in studying actuarial tables. I am not going to do that to the House today because of the time, but I hope we will have an opportunity in committee to deal with some of the very specific actuarial problems which I think the government and the teachers are facing in this bill.

What I would like to deal with, though, are some of the concepts which I believe have been addressed in the three reports that I mentioned earlier and that the minister dealt with in his opening comments, and to deal with some of the principles which I think have been missed by the government in what I would call an actuarial rather than a proper auditing approach to this problem, because to me proper auditing means human beings, consultation, finding out what is workable and where people are at and what will result in a human sense, not just in the mathematical sense.

This bill is an example of how this government has failed to bargain in good faith with just under 150,000 of its citizens: 115,000 teachers in this province and the 33,000 teacher pensioners who have been basically betrayed by this government.

The Liberal government has betrayed our teachers in this legislation in the same way in

which it has betrayed its own public servants, vis-à-vis fairness in the management of their pensions. Without being overly dramatic, I think we have an example of bargaining in bad faith. The Treasurer, of course, never admitted that he was bargaining; he always said that it was a dialogue. But if we were honest with one another, it was an attempt at bargaining.

The government has argued that the bill is necessary and that in referring to the Coward report, the Slater report, the Rowan reports, that it can justify its action. We will see how it can justify its action when the bill is in committee.

In the past, when the Liberal government decided to force legislation contrary to the wishes of large numbers of citizens, the members on those committees, the Liberal members, sat quietly. That is not dialogue; that is simply waiting people out, and this government with its large majority has not really entered into dialogue with those people with whom it disagrees; it has simply waited them out. In the case of the Treasurer, he was more direct than that. He simply walked out on the teachers.

It was obvious that the government was inflexible on this issue. It was the Ontario Teachers' Federation that, in frustration, requested binding arbitration by an independent third party. That is a procedure which the government, be it Liberal or Conservative, has never hesitated to use when it came to teacher and school board disputes. But when it came to resolving its own issues, it refused to accept arbitration. It is okay to have arbitration if you are a medical practitioner in this province, it is okay to have arbitration if you are a teacher dealing with a school board, but it is not okay if you are a teacher dealing with this Liberal government.

The minister says that he has all the facts and figures—I listened to him very closely; he did not give us any of those facts and figures, but I am sure we will be dealing with them in committee—to justify the actions of this bill. He said that he wants to form a partnership. If all of the evidence is so much on the minister's side—or, I should say, on the Treasurer's side, because it is not really the minister who is calling the shots on this. If it is really on the Treasurer's side, then why would the minister not want to present his arguments, which this minister says are so self-evident, which St Thomas Aquinas would have no trouble arguing before the greatest courts of the highest bishops of the land? One would think surely a mere mortal like an arbitrator would be able to understand very clearly these

cogent arguments, this overwhelming evidence that the government claims it has on its side.

But the government decided not to. Instead, it decided to act in an arbitrary way and to impose legislation, not to have it arbitrated, not to present its case in a tribunal of the arbitrator, not to have an independent opinion. One must ask the Minister of Education, does he really believe the arguments are on his side? If they are, why did he not have the courage to test them before an independent arbitrator?

This government likes to preach to private enterprise about the need for fairness in the workplace, but it shows in this legislation that it is prepared to behave a little bit like, if I might say in the presence of these young people—I will use as discreet a language as possible, but this government, in this bill, reminds me of the wayward preacher who preaches honesty and chastity before spending the collection funds in a house that shall remain unmentioned.

Mr Faubert: He didn't pick that one up. I gave you the words.

Mr Philip: Having been at one time a high school teacher, I am careful with my words when children are around. Perhaps it is the Jansenism in my upbringing that makes me somewhat purer. I can see the smiles on a number of members' faces, and I accept that they may have a different view as to my character, but that is for them.

What we have is report after report by this government, study after study on the matter before us. After spending hundreds of thousands of dollars on those studies, the Liberal government chooses to ignore the major recommendations of its own reports. Let me just take a few minutes. I do not want to deal with all the reports, but let me just deal with a few of the three reports, since the minister himself mentioned them.

1710

The Coward report deals basically with the core, I think, of what our problem is today. I will just quote from one section, page 3. It says:

"The PSSF and TSF are invested in deposits or debentures with terms of 20 to 25 years. Historically the return on such investments has been poor if changes in capital values are allowed for. Investment of the cash flow in marketable securities would be expected to increase the rate of return of the fund. Such a policy would remove the criticism that the government obtains a subsidy through investing members' contributions at less than competitive rates and would improve the employees' understanding of investment realities."

We have a deficit which the government is claiming, a deficit, which if we check the Coward report, and which the minister himself admits, is caused by the investment policies of the government running this program. Now, of course, we have a new investment policy, over which the recipients of the benefits will not have a say in how these investments are made.

I found it interesting. If we read the release of the Treasurer on 11 February, it says:

"Two reports that recommend substantial changes in public sector pension investment and the funding of index benefits for teachers and public servants were released today by Ontario Treasurer Robert F. Nixon. 'These reports raise major financial investment and policy issues that affect thousands of people and involve a substantial outlay of money,' Nixon said. 'Before we move on any recommendations, we want the input of the parties involved, particularly the Ontario teachers and the public servants. We would like their opinions on methods of funding indexed pensions for teachers and public servants, how public sector pension funds are invested and the role of plan members in the decision-making process.'"

Those were the words of the Treasurer at the time the Coward report was released.

We have had the input from the teachers, we have had their desire to be a partnership, to take part in the decision-making process, and the Treasurer walked out of the negotiations.

If we look at the other part which I mentioned, the Slater report, perhaps I should deal first with the release of the Treasurer at that time. I do not want to read the whole release. He says, "Dr Slater has served both the employees and the government well by synthesizing the opinions and recommendations of affected interested parties."

If we look at that synthesis that the Treasurer is so laudatory of, then we see a number of recommendations. Yes, we see the recommendation which the minister is very proud of, to invest the pension funds in marketable assets. But if we look at some of the other recommendations, the recommendations that the Minister of Education has not dealt with in his opening remarks, we see other recommendations: to place the pension program on an arm's-length basis to the government; to increase the level of formal plan member involvement; to have the government pay the cost of the large unfunded liabilities for pension rights arising from past service.

What we see is an ability of the government to pick and choose from its own reports. It says:

"Aha, here is something which appeals to us. We will take this recommendation, but to heck with the rest of the recommendations, because they are not on our agenda." So we have the second report—

Hon Mr Conway: What we have is a member-run plan. Wouldn't that be just terrific?

Mr Philip: Let me continue, Mr Speaker.

Hon Mr Conway: That is an option.

Mr Morin-Strom: Oh, yes, sure, it is an option.

Mr Philip: If it was an option, why did the minister not let it be dealt with in an independent arbitration proposal?

Hon Mr Conway: That has nothing to do with it.

Mr Morin-Strom: You want the final say in the matter.

Mr Philip: Come on.

Hon Mr Conway: Arbitration is an issue under the partnership model, but if you go the member-run plan, you don't have to worry about government.

Mr Philip: If we look at the Rowan recommendations, we see a number of other conclusions. Says one, that the "\$16.7 billion or 45 per cent of all public sector pension fund assets, is invested in non-market government debt and at rates of return below that which could be achieved if invested in a diversified portfolio of market investments." The minister has admitted that, but that is also an admission of the government having failed in the plan.

"Economic enhancement can best be achieved if public sector pension funds are invested in the capital market." Fine. It took so long for the government to come to trying to recommend that. "Public sector pension fund investment should not be further centralized." I ask the minister, if this bill does not centralize it, what does?

"Public sector funds should be governed by the same rules as private sector funds." In private sector funds, there really is a partnership, and the funds belong to the members, and there are rules that are accepted. There really is a partnership, not the kind of unilateral partnership that this government wants to call a partnership and impose on the workers, but a real partnership, a negotiated partnership; not a partnership where the government walks away from the bargaining table; not a partnership where the government does not even admit that there are negotiations but prefers to call it a dialogue. A dialogue:

"Let's have a chit-chat with our teachers, with our 150,000 or so employees. And if we do not enjoy what they are saying in our chit-chat, well, we will walk away from the table."

"Plan members should participate in pension fund decision-making." We see legislation that does not do that. The government likes to pick and choose what it wishes in these rather expensive reports that it spends the taxpayers' money on. It is not just in this. We see it over and over again in the various things that it studies, and then has a study on top of a study, and a study to study the study. The Minister of Education and a number of the other members should apply for OSAP grants; they undertake more studies than any graduate student.

Bill 66 combines the existing teachers' superannuation fund and the teachers' superannuation adjustment fund. The TSAF was created to provide inflation adjustment, and supplements the other. The government and the Ontario Teachers' Federation have had an actuarial dispute about the surplus or the deficit of these pension funds. The government says that its case is solid, but it is afraid of an arbitration.

Briefly, it seems that there is a surplus in the TSF, although the government seems to keep on changing its estimates about that, and an unfunded liability in the TSAF. Again, we get different views as to how much.

The teachers are saying, and their accountants and insurance experts are saying, that the surplus in one should not be used to offset the liability in the other when the plans are merged but that the surplus should remain part of the assets, and the government is responsible for the liability.

1720

The bill calls for an additional one per cent in the employer-employee contributions in the fund, but one has to look at what is happening. The Ontario teachers now pay 7.9 per cent of gross salary to the fund, the highest teacher contribution rate in Canada. The teachers' federations oppose the increase but have argued for some time that they are prepared to increase contributions to 8.3 per cent if they get specific improvements in the benefit package. For example, they want increases in the pension of teachers or their survivors who retire prior to 1982 and some other changes as to when teachers can retire without penalty. So there are some concrete proposals which the teachers have put forward.

The bill sets out what the Liberals think is their version of an equal partnership. The teachers have argued that the partnership, as set up in Bill

66, does not give them an equal voice in establishing administrative policies for the plan, determining the levels of benefits to beneficiaries of the plan, setting the contribution levels or establishing actuarial assumptions.

It is interesting that when we listen to the arguments of the teachers, we have the same arguments being made by the public servants and both have been negotiating—oh, I am sorry, I should not have used that word, the Treasurer objects to it—dialoguing with the Treasurer.

Mr Pelissero: You'll learn.

Mr Philip: The Liberal member for whatever interjects that I will learn. The problem is not that I will learn. The problem is that the Treasurer has not learned. The Treasurer in this case has had 150,000 teachers and he still cannot learn. He has had some of the best management consultants on the public service side, some of the best personnel trainers, and he could not learn from the public servants either.

The bill does not provide a fair disputes resolution mechanism in the same way as it was not provided in the public service superannuation bill. The cabinet, through order in council, controls the composition, the duties, the power of the pension board, maintains control of the actuarial assumptions and the future surpluses, and this means the teachers are not in control of their own pension plans.

What we see in the negotiations with the teachers is an identical pattern to the rather centralized, authoritarian approach to the public servants. I said somewhat facetiously that I thought my speech dealing with the public service superannuation bill, which is now in committee, could be given on this bill by simply substituting "teacher" for "public servant" because the pattern is the same. It is one of not negotiating; it is one of not listening; it is one of not really being open to an equal partnership with the very people that they are relying on as their employees.

Millions of Canadian employees have the right to decide their future to pension negotiations. The teachers' superannuation fund was established in 1917, and 72 years later the Ontario government will still control the plan. Teachers and the government are at loggerheads over a simple issue.

The teachers say: "We want a say in the management of our pension plan. We want a say about how much we pay. We want a say about how much we get for what we pay and we want a say about how the assets of our funds will be invested. Indeed, we even want something as

simple as a say as to what the assets are, an ability to actually have our people analyse and come to some conclusion as to what the assets are."

What we see with this Liberal government, not only in this but in so many other things that we have documented over the last three years, is a series of broken promises. When the Treasurer invited the Ontario Teachers' Federation to enter into discussions or dialogue to strike a new pension deal, he set the agenda for the pension discussions. Teachers and the government should be equal partners in the amount they contribute to the plan, in the way they share risks and the rewards and in the role they play in the management of the pension in the future. If that promise had any validity at the time in which the invitation was made, then it should have the same validity today. If one examines this bill, one can see that the Treasurer has broken his promise.

When pension discussions began in the spring of 1988, the surplus of the TSF stood at \$461 million. Last fall, the Teachers Superannuation Commission actuaries discovered that they underestimated the actual annual salaries and the surplus fell to \$33 million. But before Christmas, the government and the OTF representatives agreed that the commission's actuarial assumptions were too conservative and, during the pension talks, the government actuaries set the TSF surplus at over \$1.8 billion.

Here is a government, here is a Minister of Education, who starts off and says, "We know exactly what is going on." That was part of his argument. Mr Speaker, you came in a little late, but in the early part of the speech by the Minister of Education that is what he was saying. He was saying: "We have examined this closely and it is a good deal. It is a good deal for the taxpayers but, more important, the teachers should accept it because it is a good deal for the teachers."

One must ask, if the deal is so good, if the figures are so solid, then how can one have these kinds of fluctuations? One has to wonder about the competence of a government that can have these kinds of fluctuations from one month to the next.

I pointed out in the debate on the public servants' pension legislation that there have been a series of court cases, not all of them recent but many of them more recent, that basically have concluded that pensions belong to the employees. We dealt with the problem of the Conrad Blacks of this world. My colleague who sits beside me fought a tremendous war in this House and I think the workers of Ontario have some right to be proud of the member for Hamilton

East (Mr Mackenzie) and his fight on behalf of pensioners against the Conrad Black fiasco.

This government came kicking and screaming then to try to bring in some kind of pension reform and the employees took Black to court eventually. It was in the courts, in 1986, that they won. Then, of course, we had the government representatives preaching at Conrad Black and saying how terrible and how naughty he was to be doing this to the poor workers. But the basic principle in the Conrad Black case and the basic principle in all of the cases that we have had recently is that the pensions belong to the employees. If the pensions belong to the employees, then this legislation is a farce because it does not really recognize that. There is no partnership set up in this pension.

I read through the various statements of both the Minister of Education—I have not read his statements before on this but I listened to his statement today—and certainly the Treasurer, who seems to be the one who makes all of the statements on this. The Chairman of the Management Board (Mr Elston) is always terribly scarce when it comes to public servants' pension statements. The Minister of Education, at least in this case, is carrying the ball for the Treasurer today.

1730

What we basically see is statements like this, which is a statement by the Treasurer on 11 February 1988:

"The deficiencies in financing we are facing today are the result of two key decisions made more than a decade ago. First, it was decided to fund indexation payments on a pay-as-you-go basis. Put simply, this means that contribution rates are set at a level sufficient to pay for the pension benefits of plan members as they retire." Then he goes on to say, "The second decision was to extend indexation retroactively."

But what we have is a series over the past 70 years of government mismanagement. A lot of that mismanagement is created, I submit to the House, because it failed to deal, to even have a dialogue let alone negotiations, with the people who own the plan. This government, with all its rhetoric, may have identified some of the problems that are faced by the plan, but it has not dealt with the causes of the problems.

It has not dealt with what the auditors have so clearly pointed out as they search for ways of running government more efficiently, namely, efficiency only comes if you bring in a model in which there is a participation and a consultation and a constant evaluation. You do not have that

when you have a unilateral, old-style, Moscow type of decision-making. Be it in Moscow or be it Conrad Black in Toronto, the centralized decision-making does not work.

It does not work in Moscow, it does not work on Bay Street, it does not work in Washington and it has not worked—

Mr Furlong: It works in Winnipeg.

Mr Philip: Well, Winnipeg has a minority government, and everything seems to work an awful lot better under minority government, as the people keep telling me when they compare the previous minority government with the last three years that we have had in this province.

The government has failed, the teachers do not accept this, and I think that any reasonable person who looks at this will see that this bill is not worth supporting.

Hon Mr Conway: Having listened to the entire address of my friend the member for Etobicoke-Rexdale, I would like to observe two or three points. One is that he does not seem to understand, my good friend from Rexdale, that the government policy contains within it three options for the management of the plan. He rightly concerns himself with a management option wherein there is going to be the involvement of the plan members. That is a perfectly understandable objective and, I repeat, the policy before the House at the present moment provides for three options, one of which is, of course, the member—

Interjection.

Hon Mr Conway: Well, it may be nebulous, but we can certainly work it out. I just simply repeat to my friends opposite, particularly to my learned colleague the member for Etobicoke-Rexdale, that in fact there is an option for a member-run plan and that, I think, together with the partnership option, is one that he would perhaps want to examine very carefully.

Now on the partnership model, I want to take the opportunity this afternoon to repeat a message that I am going to have to repeat on several occasions, because there is abroad in the land the idea that under the partnership model, the only issue of dispute is some mechanism to resolve issues as between the partners. That is not so.

In the meetings with the Ontario Teachers' Federation—we had a very good meeting a couple of nights ago—it was very clear to me that there are a number of issues that flow from the partnership model that remain unresolved. The member for Etobicoke-Rexdale touched paren-

thetically on one of the critical questions, and that is the whole issue of whether or not the partners to this debate accept (a) that the plan is in real difficulty as a result of improperly funded indexation, and (b) the whole question about contribution rate and benefits.

There is a very real difference of opinion between the teachers' federation and the government on the question of contribution rates and benefits. This is understandable and I do not complain about it, but I want to make the point to my friend the member for Etobicoke-Rexdale that it is not fair to represent the debate over partnership as only an outstanding issue of dispute resolution, because there are other very substantive issues not yet resolved.

Mr Morin-Strom: I would like to compliment the member for Etobicoke-Rexdale for the outstanding opening address he has provided on behalf of our party in this debate. Certainly, the issues that are before this Legislature are of tremendous significance to the teachers of this province.

We are really doing a disservice to the teachers of this province by ramming through this kind of legislation, legislation that includes theoretically the opportunity for several other models to be put in place, either a joint plan or a completely teacher-operated plan, but in fact does not provide the teachers with the right to negotiate. One would have to question why this minister is trying to ram through this legislation in the deficient form it is in today, with flaws throughout, rather than sitting down with the teachers, providing the legislative authority to negotiate a fair and reasonable pension plan and negotiating a pension plan.

One has to question why the minister wants to ram through legislation that cuts the rights of teachers, that demands increased payments from teachers at the present time with no benefit improvement whatsoever, and that asks teachers to pay for the mismanagement of the plan over the years. Certainly, any problem with respect to deficits, as has been clearly indicated by report after report to this government, is clearly the result of the mismanagement plan that has been solely in the government's hands.

It is the government that has to take that responsibility. The teachers want the responsibility in the future. Let's give it to them.

Hon Mr Ward: Would this be an appropriate time—

Mr Philip: No, it would not.

Hon Mr Ward: Oh, I am sorry.

The Acting Speaker (Mr Breaugh): Does the member for Etobicoke-Rexdale care to reply?

Mr Philip: I was afraid the government House leader was going to use the same kind of closure on me that this government has used on the teachers.

The government's Minister of Education, who has to act as an apologist for the Treasurer, is trying to indicate, as evidence that he is willing to have a partnership with the teachers, that there are three options in the bill and that they can choose one of the three and he will consider it. But in fact, if we look at the options, the options are extremely vague. The government has said it wants this bill to go out for hearings, but it wants it to be back by Christmas and passed by Christmas.

If the government had some legitimate options to deal with the teachers, why did it not deal with the teachers? They have had years of negotiation—pardon me, dialogue; they do not like that word “negotiation”—with the teachers. Why did they not put them on the table then? Why did they not flesh them out? Why did they not give them the details of it? The teachers presented certain specific programs that the government refused, walked away from the table and would not hear of.

This is the minister's idea of dialogue, to put three rather vague little items into the bill because he is being criticized for the fact that he is not negotiating in good faith, that he is simply saying no. I remember how the former leader of the Liberal Party was called Dr No. Now the minister is saying no to the teachers. He is not prepared to listen, is not prepared to dialogue. Then when he sees how that gets him into a political jam he says, “Well, as evidence of my interest in having a proper partnership I am going to throw out three ideas, three vague little ideas. You have exactly a couple of weeks to come to your conclusion which one of these vague Gestalts you are going to choose.”

Hon Mr Ward: Do you even know what that means?

Mr Philip: I know what “Gestalt” means. “Gestalt” means kind of a view of the world, and these things are so vague that they might as well be called a view of the world.

If the Treasurer had had some good Gestalt therapy, maybe he might have negotiated in good faith with the teachers—I do not know—rather than in the very linear manner in which he approached those negotiations. I am very disappointed that the Treasurer of Ontario has not learned the value of perestroika and prefers instead an earlier model.

The Acting Speaker: Is there any further debate on the matter?

Mr Morin-Strom: Yes, Mr Speaker, I am very anxious to continue the debate on this item. However, given the lateness of the clock and understanding there may be some minor government business to be completed today, I will move the adjournment of the debate and hope to continue on Monday.

On motion by Mr Morin-Strom, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon Mr Ward: Pursuant to standing order 53, next week's business is as follows:

On Monday 27 November we will resume second reading debate of Bill 71. At the conclusion of second reading debate on Bill 71, we will resume the second reading debate on Bill 66.

On Tuesday 28 November we will resume second reading debate of Bill 68, and on Wednesday 29 November third readings of Bills 39 and 40. At the conclusion of these third readings, we will move to second reading of Bill 53, to be followed by committee of the whole on Bill 71.

On Thursday 30 November the House will not be sitting, as agreed to earlier.

The House adjourned at 1743.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES**TRAVEL AGENT**

297. Mr McCague: Would each minister indicate whether his/her ministry has a preferred or exclusive travel agent through which all ministry personnel must make travel reservations? [Tabled 17 July 1989]

See sessional paper 2xx.

1988 OLYMPIC SUMMER GAMES

300. Mr McCague: Would each minister indicate which members of his staff attended the

Seoul Olympics and provide a detailed accounting of their responsibilities and the costs they incurred? [Tabled 17 July 1989]

See sessional paper 2xx.

INTERIM ANSWER

336. Mrs Cunningham—Hon Mr Conway: A consolidated answer is being prepared and will be available on or about 1 February 1990.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breagh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 75

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Legislative Assembly of Ontario

Second Session, 34th Parliament
Monday 27 November 1989

Speaker: Honourable Hugh A. Edighoffer
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 27 November 1989

The House met at 1330.

Prayers.

VISITOR

The Speaker: Just before I call the first order under routine proceedings, I would ask all members of the assembly to recognize in the Speaker's gallery, from the Turks and Caicos Islands, West Indies, the Minister of Works and Utilities, the Honourable Sam Harvey. Please join me in welcoming Mr Harvey.

MEMBERS' STATEMENTS

EVENTS IN EL SALVADOR

Mr Allen: I rise to pay tribute to those Canadian church workers and members of Peace Brigades International in El Salvador who have put their lives on the line to stand in solidarity with reform movements, labour and the poor in that unfortunate country. The Karen Ridds and the Brian Rudes have worked with and walked with those marked for assassination in order to give them a kind of international cover, but ultimately to shield with their bodies their crucial work of social change in a brutal regime.

Arrested, imprisoned and released, they escaped the fate of the six martyred Jesuit priests just murdered. Expelled from that country, they returned, weighed down by the knowledge that for every Canadian arrested and released, there are a dozen Salvadorean religious workers who are in jail right now, not to mention labour, educational and civil rights workers who could soon be numbered among the countless disappeared and the 80,000 civilian casualties of this tragic, decade-long civil war.

Their crime has been that they have taken seriously the simple proposition that to know God is to do justice; that the Christian gospel is a message of liberation from oppression, a social gospel for the poor of El Salvador exploited by an evil alliance of economic, political and military elites whose bankruptcy should long since have been evident to their American supporters.

The major churches of North America have stood witness to all that. This Legislature should find some way, I suggest, to support their demands for the air lift and direct delivery of

emergency aid to popular organizations, for a forceful Canadian policy on El Salvador and for an immediate cessation of American military support for the Christiani regime.

ASSISTANCE TO FARMERS

Mr Villeneuve: Today the Ontario Federation of Agriculture begins its annual meeting here in Toronto. Ontario farmers are looking to this government to provide leadership, but the minister has already stated that there will be no new announcement this week. Strange, the same government which told farmers that free trade would destroy them is now offering budget cuts and no help.

Real interest rates are higher now than when this government announced its interest rate reduction program, but that was in the election year. That program has now been cancelled, even though farmers and the OFA say it is very much still necessary. The agricultural budget has declined from a high of 1.43 per cent in 1987 to 1.19 per cent of the provincial budget this last fiscal year. If Ontario agriculture is to receive the same proportion of the budget as it did in 1987, that same election year, agriculture would have \$100 million more for very needed programs. Among the programs the OFA is calling for are short-term interest rate reduction programs and a long-term interest rate reduction program, as long as interests stay as high as they are.

We also need to maintain our soil conservation and pesticide reduction programs. We need policies for rural development which do more than allow developers with ties to the Liberal Party to dictate policy. This government, over these three days, has the opportunity to announce programs that are needed by farmers. Let's hope it reacts, and not only with lipservice.

OTTAWA ECONOMY

ECONOMIE D'OTTAWA

Mr Grandmaître: It is a pleasure to rise and inform the House of a recently released survey by the Hemson Group, a Toronto-based consulting firm. The results of this survey indicate that the national capital region leads the nation in economic performance and has the best rate of employment growth, income growth and value

per capita of industrial and commercial building permits over the 26 other Canadian cities that were studied as part of this survey.

J'aimerais ajouter que la période qui a fait l'objet de cette étude s'est échelonnée sur les années 1984 à 1988, période durant laquelle notre gouvernement a pris le pouvoir et a créé certains programmes qui ont très certainement joué un rôle important dans l'excellente réussite économique d'Ottawa.

Our commitment to Ottawa transit development and our plans for Highway 417 construction are just two of this government's projects which have helped Ottawa attain such a sustained and reliable economic growth over the past five years.

I would like to take this opportunity to salute the hard work and dedication of all those in business and labour who have worked hard to make Ottawa Canada's leading economic performer.

AMBULANCE SERVICES

Mr Mackenzie: Although Hallowe'en is long over, the ghost is back. Once again the Liberal government of this province is the invisible ghost at one of Ontario's bargaining tables. This time the negotiations involve the Ontario Public Service Employees Union Local 250, representing the ambulance drivers of Owen Sound, Port Elgin and Kincardine and the private company known as Owen Sound Emergency Services Inc.

I raised this issue in the House once before, on 2 November, and I asked the Minister of Health (Mrs Caplan) how she could possibly refrain from interceding in this dispute when the ministry controls 100 per cent of the operating costs of OSES ambulance officers but refuses to offer OSES the same wages as it pays its own ambulance officers for the same work.

The owner-operators of OSES refuse to make any unauthorized offers at the bargaining table which the ministry may refuse to honour down the road. All that is needed to break the deadlock and to allow service to be restored is a public assurance from the ministry that additional funds sufficient to honour any arbitrator's decision on wages will be made available.

There is no one who believes that the Ministry of Health is not the real power behind Owen Sound Emergency Services Inc. It is just a convenient legal fiction designed to carve up ambulance drivers into small bargaining units which can be dictated to by the government at arm's length via fictional employers. Let's stop

the charade and let's stop this unnecessary labour dispute.

SKILLS TRAINING

Mr Sterling: Last week, Humber College opened its Business and Industry Service Centre. The centre will work directly with business and industry to design customized retraining programs. The community college has the expertise, specialized equipment and facilities to assist the private sector in training a competitive workforce. Kodak, Digital Equipment and Canada Post are already taking advantage of this innovative program.

The centre was established without any government assistance. Humber has been working with the private sector on an informal and ad hoc basis for the last 10 years. The money generated from previous training fees was used to finance the startup costs. The centre is now self-supporting.

This entrepreneurial venture is in stark contrast to the government's own bureaucratic training programs. Transitions and the program for older worker adjustment have proven to be both expensive and ineffective. Yet studies forecast that 75 per cent of our current workforce will have to be continually retrained during its working life.

The Liberals are floundering on this important issue. The Premier's Council is still working on its long-overdue comprehensive people strategy. Meanwhile, other institutions in the province are taking the lead and developing training and labour adjustment solutions. The minister should take note.

CANADIAN REGIONAL PARLIAMENTARY SEMINAR

Mr Neumann: Parliamentary reform, provincehood for the territories, electoral laws, the charter, the environment, the private member, Senate reform: these topics stimulated much discussion at the 14th Canadian regional parliamentary seminar of the Commonwealth Parliamentary Association earlier this month. Yellowknife was the setting for this event, which I attended along with the member for Welland-Thorold (Mr Kormos) and the member for Durham East (Mr Cureatz). We were joined by our clerk assistant Smirle Forsyth at this weekend in the real north. The world view is certainly different up there. I learned that my colleague the member for Kenora (Mr Miclash) is really a southerner after all.

Following the sessions, delegates enjoyed a tour of Yellowknife and a chance to try dog-sledding. To our surprise, we found out at the closing dinner that our efforts had been timed and trophies awarded. My keepsake is a trophy with a husky on top. My partner for this event was Gordon Wright, an MLA from Edmonton, and we formed the third-place team. Was it the influence of the Gretzky legacy on Brantford and Edmonton or was it my partner's shouts of "Mush, mush" along the snowy trail?

Perhaps a showing more representative of Ontario was the 19th place finish of the team representing the Law Society of Upper Canada, the member for Durham East and the member for Welland-Thorold. The surprise of the day, however, was the impressive victory of Mr Forsyth. Along with his secret weapon, Missy Follwell, clerk assistant of the Yukon, Mr Forsyth did this Legislature proud. I ask all members of the House to join me in recognizing this tremendous accomplishment.

1340

OFFTRACK BETTING

Miss Martel: Two weeks ago I advised this House of the financial difficulties facing Sudbury Downs Racetrack. Due to the great distances in northern Ontario, Sudbury Downs cannot attract the population base needed to ensure its financial viability. Downs owners and others have requested that the province introduce offtrack betting as a means of resolving the problem. The province promised to look into this but has yet to respond.

I warned that further delays by this government would cause grave financial problems for Sudbury Downs, and sure enough, on Friday afternoon track owners announced that as of 6 December the Downs will cease to operate. This will continue until such time as this government makes a firm decision on teletheatre betting. Several hundred full-time and part-time employees will be laid off, and local businesses providing service to the track will also be adversely affected.

I blame the Liberal government for this. On three separate occasions, I received letters from the Premier (Mr Peterson) and the Minister of Consumer and Commercial Relations (Mr Sorbara) stating the matter was under review. Both the then Minister of Consumer and Commercial Relations, the member for Windsor-Sandwich (Mr Wrye), and the present the Minister of Consumer and Commercial Relations have met with track owners and local politicians

regarding the situation at the Downs. The community was told that this government, with the help of the Ontario Racing Commission, would investigate further and make a decision. How much longer do we have to wait?

The request to approve teletheatre betting as a five-year pilot project in the north deserves immediate approval. If not, this government should be blamed for the Downs closure and the unemployment which results.

ROUGE VALLEY

Mrs Marland: It has been barely a week since the members of this Legislature voted unanimously for the Progressive Conservative motion to designate the Rouge Valley and its tablelands as a provincial park. Today we hear of plans by Metropolitan Toronto to consider part of the Rouge Valley lands for an interim landfill site for the greater Toronto area's solid waste management plan.

I would like to emphasize that my resolution was supported by all parties. If the Liberal government would live up to its word for a change, the Rouge would be designated as a park by now and it would not even be available as an option for Metro. We must remember that if on 6 December Metro council votes to accept the Rouge lands as an interim landfill site, it will not go through an environmental assessment under the Environmental Assessment Act. The Minister of the Environment (Mr Bradley) and the Premier (Mr Peterson) have both promised that all GTA interim sites will be exempted from the provisions of the Environmental Assessment Act.

As we have said in the past and I will reiterate again today, the Ontario Progressive Conservative caucus supports the designation as a provincial park of all 10,700 acres of the Rouge Valley lands, including the valley and the tablelands. We do not support the decision on the part of the Liberal government to exempt all interim landfill sites under the GTA solid waste plan. Each one of these sites will be in operation for several years, and it is imperative that they all be environmentally sound. The Liberals have stalled again on this issue.

TRADE WITH UNITED STATES

Mr Tatham: In the news: The Europeans, charging United States television with dominating Europe while closing its doors to European programs, are talking about quotas against the United States and looking at the potential advantage of a unified market which, including

the Soviets, could embrace as many as 700 million viewers.

The French culture minister, Jack Lang, says, "The Americans have a 100 per cent quota against us."

"Trying to break through distribution barriers, price-fixing and a host of other restrictions, the United States cannot continue to tolerate either politically or economically a \$50-billion bilateral trade deficit with Japan," says Senator Baucus, Democrat of Montana.

Perhaps a free trade deal with the European Community and Japan would solve the American dilemma. Just ask our Canadian pork producers. Because of the threat of a new border duty, they have imposed a \$2-a-hog fee on themselves, with a total of about \$15 million to be raised between now and the end of March. If their protests are successful under the free trade agreement, the money will go back to the producers. That is free trade.

VISITOR

The Speaker: Before calling the next order of business, I would ask all members of the assembly to recognize in the Speaker's gallery the Premier of Newfoundland and Labrador, the Honourable Clyde Wells. Please join me in welcoming the Premier.

Mr Kormos: Perhaps I may, Mr Speaker, and it is with the consent of the whole House, address briefly some of the recent events in Europe and, specifically at this time, the events over the past week and weekend in Czechoslovakia.

The Speaker: I presume you are asking for unanimous consent. Would there be agreement?

Agreed to.

EVENTS IN CZECHOSLOVAKIA

Mr Kormos: Those recent events occurring in Czechoslovakia stir within all of us an emotion of heightened anticipation of both real and human change in its system of government and growth in its economy, so that all of those persons there, and indeed our families in our ancestral home for Slovaks and Czechs, once again live a life of freedom, security and prosperity.

Once again, the whole world watches both electronic and print media as today's citizens of Czechoslovakia mass themselves by the thousands, tens of thousands and hundreds of thousands to peacefully demonstrate the need for dramatic reform in their social structures. Many of those demonstrators are young people who have never known the gift of democratic human rights. They do know what they do not have.

These young people, however, have learned from their families and friends who have made the pilgrimage to other parts of the world and experienced democratic rights of life. Those rights have not been a privilege of life in Czechoslovakia for some time, not since 1945 when the communist system was imposed by the so-called liberating Russians.

For most Canadians, understanding what life under suppression is like is difficult, but life in Canada for the minority of Slovaks and Czechs is a gift that is valued and respected. Our way of life in Canada is always a prayer of hope for our dear ones in our ancestral homeland. Every thought, deed and action in our home, church, in our common, everyday way of life in Canada has been an expression of our heritage, identity and values for our love of God and of our nation.

We stand as a voice in the free world for our silenced brothers and sisters in Czechoslovakia. As a people who are a contributing force in industry, research, professions, church and social development, we demonstrate that we are worthy of the quality of life we enjoy in Canada. Further, we demonstrate that our families who are under the horrific suppressions of communism are worthy of democracy.

As Canadians of Slovak and Czech ancestral roots, the present current of potential reform must be fostered by us. Never must the terror of life in communist regimes be allowed to revive and rear its ugly head of persecution, police brutality, unjustified incarceration, denial of freedoms. These must never be allowed again.

The present system of communist rule that has been in place since 1945 has imposed a horrendous suppression on the people of Czechoslovakia. That suppression is, for many, difficult to perceive because it is so horrific and because so many of us here enjoy the luxury of taking our freedom for granted.

Let me give members some examples. Let me talk briefly about freedom of religion in a communist regime like that which has suppressed Czechoslovakia. Under that regime, the Byzantine Catholic Church has virtually been dissolved and replaced by the Russian Orthodox Church, which, I tell members, is also suppressed. Bishops in the Catholic Church have been appointed by the state and not by the Church of Rome. This has created a wider split between the church and state. People holding any civil service positions, like teachers, police, are not allowed to go to church. Young men must study theology in secret. Some priests have been

murdered for having more services than are allowed them on the permits issued to clerics.

Education, either post-secondary or technical level, has been reserved for the active communist members only. The opportunity of choice for a career for young people remains to be the privilege of a few, who also must alienate themselves from any association or contact with relatives who are churchgoers or who are not supporters of the state philosophy.

1350

Free access and use of media as we know it is still another suppression that has long endured. The freedom to write or express opinions or defend oneself has been nonexistent. The few who dare to speak out have and continue to be incarcerated today.

Jan Carnogarsky, a young lawyer, is presently being tried for fictitious wrongdoing against the state. Mr Carnogarsky, like his father, remains to be a voice for the defence of human rights in Slovakia and has been imprisoned as a dissident. His only deed has been the legal defence of other dissidents who have struggled to humanize life in Czechoslovakia.

These are only a few of the atrocities. We pray that freedom and democracy is once again restored to the people of Czechoslovakia so they, like us, can wake up in the morning after an election knowing that they will not be imprisoned for marking their ballot as they choose; so their property is theirs and their families', not to be taken away as state property; so they are free to write and express their opinions and be in contact with families elsewhere; so education and opportunities remain a privilege, a right accessible to all; so they may travel in the free world as law-abiding citizens, knowing that the police are there to protect their rights, and so they know that their families are secure, healthy and free to practise all the democratic freedoms that indeed we in Canada stand for and embrace.

I would close with the words of Alexander Dubcek, the great Slovak leader, who travelled once again from Bratislava to Prague this past weekend after some 21 years of absence and who said to the crowds, to the quarter of a million people who thronged to see him: "We have already witnessed the dawn once. Let us now act in such a way that the dawn breaks into daylight."

Mrs Marland: It is a privilege to speak on behalf of our caucus this afternoon about the events in Czechoslovakia. The reform movement in eastern Europe is moving so quickly it is almost impossible for us to comprehend. Popular demonstrations in Czechoslovakia, which a

month ago would have been brutally repressed, culminated in a massive rally on the weekend.

Alexander Dubcek, the former leader ousted in 1968 when his attempt at democratic reform was crushed by Soviet tanks, made a dramatic appearance at the rally and spoke to the crowd of over 250,000 people. He commented that it was the mothers and fathers of the present protesters who, and I quote, "raised their voices for truth and human rights 21 years ago. Today it is you who have raised the flag; that's why we are here together in unity."

The love of freedom is strong in Czechoslovakia. It has been suppressed for many years, but the underground movements have been preparing for the moment when they could again work openly for democracy. We in the west are amazed and delighted at the swift turn of events in Europe. Only two weeks ago, the Berlin Wall crumbled before our very eyes. Now the once all-powerful Communist Party of Czechoslovakia is in disarray, shuffling committee members and dropping hardliners. Today only three original members of the Politburo remain. Dialogue has now started between the Politburo and the Civic Forum, the reform coalition.

On behalf of myself and our party, I wish to congratulate the people of Czechoslovakia in their determination to decide their own form of government, and express our support for them in this historic period of change. We pray that they will be given the strength and courage to succeed as they strive for freedom and democracy. We who live today in our great country of Canada enjoy the freedom and opportunity that living in a democracy provides. I only hope that some of what we enjoy can be transferred to these people in Czechoslovakia through our prayers and through our own personal strength.

Ms Hošek: It is a great honour for me to be able to rise in this House in Toronto, Canada, thousands of miles from where I and my parents and grandparents were born, to speak on behalf of the government of Ontario about the extraordinary events taking place in Czechoslovakia right now. As the face of eastern Europe is being transformed, the sense of hope and possibility is being revived almost more quickly than anyone can assimilate it.

Czechoslovakia is a small country with a difficult history. In 1918 it was given the power of self-determination and between 1918 and 1938 it built a stable, free and democratic society, one remarkably tolerant of religious and racial differences. It was a socially responsible,

technologically advanced and aesthetically creative community, a model for eastern Europe.

Decisions made by other people in 1938 effectively dismantled this state, as it faced the horrors of the Second World War. After the war, people came together again in the hope of recreating that country and that society, and by 1948 it became clear that democracy in Czechoslovakia was severely threatened and ultimately destroyed.

The loss of democracy and its freedom is something most people in Canada are lucky enough not to have experienced, but for Czechoslovakia it meant oppression, repression, political prisoners, state censorship, self-censorship and a state framework created and maintained to shut down creativity, energy and the free use of the mind and the heart for what people wanted to accomplish.

More than two generations of Czechs, Slovaks and Ruthenians have had their lives blighted in this way. Today we can feel that all this pain may be coming to an end. Hundreds of thousands of people in the streets of Czechoslovakia are demanding a return to a free and democratic society, with free elections, equal rights for all parties, a mixed economy and reintegration into Europe.

Here in Canada there are 80,000 people of Czech and Slovak origin who are watching what is happening with a combination of joy and apprehension. The reasons for joy are clear to us all. The reasons for apprehension, unfortunately, are also clear. We all know that the people who have been running Czechoslovakia for the past 21 years, since 1968, have not suddenly and magically become champions of democracy. All those voices call on us to add our voices in support of democratic changes to the political and legal structure of Czechoslovakia today.

Yesterday at a rally that was held here in Toronto, the Civic Forum of Czechs and Slovaks in Canada was founded. Its demands of the Czech state are free and democratic elections in Czechoslovakia, immediate release of all political prisoners with no more political prisoners ever and freedom of travel, not only from Czechoslovakia, but free entry for people from this part of the world into Czechoslovakia. For this to happen, there would have to be an immediate amnesty for all political refugees from Czechoslovakia now.

Yesterday many people told me they are dreaming of flying to Czechoslovakia for Christmas, to spend Christmas there with their families and friends, and I hope and pray they will be able to

do that. The Czech national anthem begins with the phrase that is translated as "Where is my home?" Someone I met yesterday told me that she cannot sing that without crying. My hope is that very soon all Czechs and people who care about Czechoslovakia will be able to sing that anthem without tears.

VISITOR

The Speaker: I have just been informed that we have a visitor from the Saskatchewan Legislature with us. We have a member, sitting to my right up in the gallery, the Leader of the Opposition, Roy Romanow. Welcome.

1400

ORAL QUESTIONS

YORK REGION LAND DEVELOPMENT

Mr B. Rae: I have a question for the Premier. I wonder if the Premier can tell us exactly what he knows about the meeting that apparently took place in February 1989, involving his then Minister of Municipal Affairs, members of the minister's staff and apparently the Premier's executive assistant.

Hon Mr Peterson: I understand a meeting took place in that time frame and the minister informed the others that there was a police investigation going on into the matters in York region.

Mr B. Rae: I assume the Premier has informed himself of what took place at that meeting. Last week, I showed a copy of a cabinet submission which went to the minister which I gather was in fact the subject of the discussion at the meeting with Mr Ashworth. I wonder if the Premier can tell us, did Mr Ashworth or anyone else on the Premier's staff give him any summary or any note or did the minister give him any summary or any note of the discussion that took place in Mr Ashworth's office?

Hon Mr Peterson: I am not aware of any summary or note of that particular meeting. As I understand it, a discussion was held. They discussed the issue. The sense was, I am told from the minister, that the police investigation was ongoing and was in very capable hands.

Mr B. Rae: Can I ask the Premier then, when did he hear from the minister or from Mr Ashworth or from anyone else about any proposals that might have come from within the ministry with respect to a royal commission of inquiry?

Hon Mr Peterson: I was not aware of any discussions that came from the ministry with

respect to a royal commission of inquiry from the minister or anyone else. As I recall, it was his recommendation that the police investigation was there, as well as an administrative review, looking at all the matters in York region.

The Speaker: New question.

Mr B. Rae: To the Premier again: The Premier will no doubt recall that the question of the ownership of his family company and its sale became a matter of public record in October 1988. It was detailed, in fact it was first outlined, on 22 May 1987, and further information was made available later on with respect to the involvement of Mr Muzzo as the owner of Consolidated HCI Holdings which was the holding company of the Avinda Video, which in turn was the purchaser of C. M. Peterson Co.

When that information became public and presumably the Premier took notice of Mr Muzzo's involvement in HCI Holdings, did the Premier at any time discuss with Mr Ashworth or with any member of his cabinet the potential impact that his family company's involvement with Mr Muzzo would have with respect to the Premier's potential conflict of interest?

Hon Mr Peterson: It was a matter completely in the hands of the trustee.

Mr B. Rae: When the Premier refers to the trustee, I presume he refers to the trustee of his own financial affairs. Do I take it then that the Premier, in light of the information with respect to Mr Muzzo's involvement with HCI Holdings, at no time felt that there was any potential conflict in terms of decisions that he might make or his cabinet might make or his ministers might make with respect to Mr Muzzo?

Hon Mr Peterson: That is absolutely correct. At no time was I ever involved and at no time did I ever feel there was a conflict of interest.

Mr B. Rae: What does it tell us about the Premier's government when his Minister of Municipal Affairs, upon receiving a recommendation from within his own staff, to the point where the recommendation was drafted as a cabinet submission—can the Premier tell us what it tells us about the way his government operates when one man on his own staff, Mr Ashworth, apparently had the power, by simply having a meeting with the Minister of Municipal Affairs at that time, to shut something down and the Premier remained blissfully unaware, according to what he has told the House today, of any such events or any such recommendations? Who was running the show at that time, Mr Ashworth or the Premier?

Hon Mr Peterson: I think my honourable friend refers to some allegations but I do not think that is correct. I do not think anybody has suggested he shut down anything. The police investigation was ongoing. There was an administrative review ongoing and if the member has any facts that should be turned up for the police, then very clearly I would hope that he would turn them over to the police, if he knows something that has gone on. Very clearly, there was an ongoing, independent look at these entire matters and it was handled, I expect, as it should be.

Mr Brandt: To the Premier on the same point: The Premier is aware that in newspaper accounts in the *Globe and Mail* this morning it is indicated that the OPP were completely dissatisfied with the thoroughness of the investigation, primarily arguing that an inquiry would have given them the powers of subpoena, that an inquiry would have given them the opportunity to bring forth witnesses who could perhaps have got to the bottom of the entire question.

Does this perhaps give the Premier some question in his own mind as to whether or not an inquiry should now be called as a result of the OPP indicating quite directly that they were dissatisfied with the thoroughness of the job that they did?

Hon Mr Peterson: I am not aware of the fact that the OPP were dissatisfied with their own work. I assume that they conducted an independent inquiry into this matter and came to their own conclusions based, as they should, on independent advice. They have every right to look at every issue, as indeed they should. If there is some suggestion, there is something the member knows that has not been looked at, then obviously they have a responsibility to go and look at it, but I assume that the independent OPP did that.

Mr Brandt: I want to go back to the question of subpoena. In the same article, the OPP indicated quite directly, in specifically relaying to the Premier the message that they relayed to the *Globe and Mail* in the interview, that they wanted an inquiry because it would give them the opportunity to subpoena witnesses and to carry out a more thorough investigation.

Under an inquiry, the investigation itself—and the Premier referred to it as an independent inquiry carried out by the OPP. That is not what happened; it was an investigation. That investigation appears to be less than satisfactory, based not on whether the Leader of the Opposition (Mr B. Rae) or myself have any further information, but based on those who were carrying out the

investigation coming to the conclusion that they could not get to the bottom of all of the information they required.

Does this not give the Premier cause to reflect that perhaps his decision should be changed in the matter of the inquiry?

Hon Mr Peterson: I do not want to rule anything out, and if there is any evidence to support looking at this thing on a wider basis, then certainly we are prepared to look at the situation. Believe me, we have absolutely nothing to hide in this particular matter.

To the best of my knowledge the police have not come to the government and asked for a look at this matter. If they have, I am not aware of the situation. Presumably they were there for a period of time. They have investigative powers and a very sophisticated force, and they came to their own conclusions on this matter. They are the ones who decide whether charges are laid, not us and not the member.

Mr Brandt: For my final supplementary, I have to say, with respect, here we have individuals involved who, according to the information that is publicly available, gave the largest campaign contributions that have ever been given to any political party in the history of this province. They were partially the subject of the OPP investigation.

On 1 February 1989, there was a meeting held in the Premier's office with his principal secretary who quite arbitrarily decided, after reviewing a cabinet document with respect to the direction that was suggested, namely, that in which an inquiry would be held, to just simply shelve the whole thing, to push the inquiry aside and to allow the OPP to conduct an investigation, which is only part of the answer to the issues that we want to get at with respect to York region.

Does it not stretch the credulity of the Premier with respect to this entire matter that he would not at least investigate further after this particular decision was made in his office?

Hon Mr Peterson: First of all, there was a meeting held but there was no decision to shut anything off, close anything down or anything else. That is where my friend stands in the House on the basis of press reports and allegations that may or may not be accurate, but I am not aware of anybody closing anything off at all. There was an ongoing police investigation, and that is what happened. That was concluded some months after that, and presumably the member would be the first one to stand in the House and say that the police should look at this matter.

The Speaker: New question.

Mr Brandt: I have a question to the Solicitor General, again on this same matter. The OPP, which come under the minister's cabinet responsibility, indicated in today's newspaper that they were dissatisfied with the extent of the investigation, primarily because they did not have the powers of subpoena and were not able to carry out their investigative work to the extent that was necessary because of lack of co-operation from some witnesses. They said that they in fact preferred an inquiry.

Could the minister indicate today whether he has checked with the OPP to determine the factual correctness of those statements emanating out of that department of the government.

1410

Hon Mr Offer: In response to the question from the leader of the third party, I would like to indicate that I am advised the investigation by the OPP was done in the normal usual and thorough way.

Mr Brandt: On 9 May 1989 York region and the OPP put out a news release that indicated there were no grounds for charges and that is what the minister is basing his response on. Now we have learned that there were no grounds for charges because the OPP could not get the facts. That is why the OPP wanted an inquiry. That information is available to the Solicitor General, as it is to us. Has he determined whether or not officials within the OPP have recommended that an inquiry be conducted?

Hon Mr Offer: In dealing with any investigation—I talk about this in the widest sense—the OPP and any police department, municipal or regional, in their investigation of any allegations of criminality have wide powers of search and seizure. They have a number of responsibilities in dealing with the whole question of any one particular investigation. I can tell the member I am advised that the investigation, as all investigations, was done in the normal course of proceeding.

Mr Brandt: In January 1989 it appears that the OPP did in fact have indictable offences. The release that came out following that, indicating no charges were going to be laid, came out in May. We know there was a meeting in February in between those two dates at which Mr Ashworth, the principal secretary of the Premier, was involved. A decision was made to proceed simply on the basis of an investigation, which the minister must acknowledge is not nearly as thorough and comprehensive as a public inquiry

would be in looking at the allegations—admittedly, at this point in time—related to the York region development situation.

Is the minister prepared to review the documents from the Ministry of Municipal Affairs, review the actions taken by the OPP and make a recommendation to his cabinet colleagues and the Premier with respect to the question of an inquiry now being held to get to the bottom of this whole matter?

Hon Mr Offer: The responsibility of the OPP, and indeed of any regional or municipal police force, is to investigate matters and allegations of criminality. In doing so, they have a wide range of powers dealing with search and seizure. In investigating those matters, they have a procedure they follow in dealing with the findings of any matter that has come about from that investigation. I am advised that the OPP, in this matter as in other matters, did that type of investigation in the usual and proper course.

Mr B. Rae: The cabinet memorandum I have referred to now for several days talks about the high rate of growth and development. It talks about land ownership being concentrated in a few hands.

The Speaker: The question is to the Premier?

Mr B. Rae: It talks about sewer capacities distributed by the region in a preferential manner. It talks about allegations of fast-tracking development proposals of friends by provincial and local officials. It talks about the relationship between developers, councils and municipal officials. Is the Premier asking us to believe that the material in this document was not discussed at the meeting in Mr Ashworth's office?

Hon Mr Peterson: I was not there. I do not know what the discussion was about.

Mr B. Rae: He is, after all, the Premier's executive assistant, not anybody else's in that room; his.

An hon member: Was.

Mr B. Rae: Was. In light of what has now been revealed with respect to what has happened, would the Premier be prepared to amend the terms of reference of the existing Houlden inquiry so it can explicitly deal with these problems of perceptions of conflict, with the question of how this decision to cut off a potential inquiry into York region development was made so we can get at the bottom of this issue as well as others?

Hon Mr Peterson: The question is, what is the issue the member wants to get to the bottom of? What are the allegations? What are the facts?

What is his *prima facie* case? I understood—There are allegations thrown around every single day in this House by the member, by his colleagues and by a lot of others. I can tell him that they are being looked at. Any suggestions of illegality are looked at by the police force.

Believe me, we have nothing to hide in this particular matter. I do not rule out a look at this by some independent situation. I have no problem with that if it looks as if it is going to be productive, if it is going to turn up some information that I or the member do not know. But I can tell my honourable friend that the minister made the decision to proceed on the basis he said in this House and I have some faith that the OPP has the capacity to look at these matters.

Mr Brandt: To the Premier: The allegations are directly available to him as they are to every member of this House. If in fact they are incorrect, then I want the Premier to indicate that these statements were not made by an arm of the government, namely the OPP, in which it has indicated it preferred an inquiry because it would give it the right of subpoena and would give it the opportunity to take a more comprehensive review of all the allegations that surround the question of the development, the methodology being used for that development, capacity in the York sewer trunk line and the allegations between developers, that the whole situation out there would be better reviewed under the terms of an inquiry.

Is the Premier saying the OPP did not say that or that he is not prepared to accept the OPP's recommendation?

Hon Mr Peterson: I am not aware of the OPP saying that to this government. The member could ask the minister responsible if it has ever said it to him, but I am not aware of the OPP saying that. As I said, they looked at the matter and I assume they were satisfied they had conducted a thorough investigation.

Mr Brandt: They were not satisfied. It is in the last paragraph of the story that appears in the *Globe and Mail* today.

The Premier and I both know that there are situations from time to time when misinformation is inadvertently passed on either through newspaper articles or otherwise. I ask the Premier, if that information is factually incorrect and if the OPP did not say it preferred an inquiry, would he stand before this House and indicate that the *Globe and Mail* is wrong, or alternatively that the OPP has suggested and recommended an inquiry but he is not prepared to accept its

recommendation? Is he prepared to stand up and have it either one way or the other, but not both ways, the way he usually wants it?

Hon Mr Peterson: The Attorney General (Mr Scott) tells me he has talked with the Solicitor General (Mr Offer) and there was not that recommendation of the Solicitor General. My honourable friend refers to his research on the basis of a newspaper article. There are lots of things in newspapers every single day and obviously I am not in a position to defend every one or to criticize every one. All I know is what we know here. To the best of my knowledge, that recommendation was not made to the Solicitor General or to the government.

Some unnamed person in the newspaper-look, the member faces them every day and I face them every day. I know a lot of unnamed people who have said even nice things about the member from time to time, though not many, and these things happen from time to time. I cannot respond to that and conduct public policy on the basis of some unnamed person who may or may not be accurate. I am sure my honourable friend understands that.

I will tell him if there are any facts, any suggestions or any *prima facie* case, obviously we take that very seriously, as we have when looking at these whole matters.

NATURAL GAS PRICING

Mr Tatham: My question is for the Minister of Energy. A few months ago I had a call from one of my constituents complaining about the retroactivity of a natural gas rate that was given to them. I am just wondering if there are sometimes problems, particularly for senior citizens on fixed budgets, when a retroactive natural gas rate is awarded due to the fact that all the factors needed to determine the rate base are not available when the initial rate is established.

Can the minister ensure that when the Ontario Energy Board regulations are amended, consideration is given to allowing funds to be put in escrow, thus alleviating any need for retroactive rates being charged.

Hon Mrs McLeod: I appreciate the honourable member's concern on behalf of his constituents on this issue. The honourable member's question identifies the fact that the Ontario Energy Board does have the authority to set reasonable rates for the sale of gas by the utilities and also that it does at times have difficulty predicting all the factors that might affect those rates.

When they are concerned about the factors that might affect the rates, they can set up a procedure by which the utility is required to keep an account of the actual cost it has incurred as opposed to the forecasted cost. Should they find that there has been a surplus or deficit in that account, they can then decide to have either a retroactive refund, as has happened, or a retroactive charge, which I know is of concern to the honourable member and his constituents. I can assure him that the Ontario Energy Board looks very carefully at the impact of that kind of decision.

Having said that, I think the honourable member's suggestion is an interesting one, certainly something that can be taken into consideration as we review the mandate of the Ontario Energy Board.

1420

Mr Tatham: Does the Minister of Energy intervene before the National Energy Board to ensure that Ontario consumers pay the most reasonable rates for natural gas?

Hon Mrs McLeod: I can assure the honourable member that the Ministry of Energy does intervene with the National Energy Board on a number of issues, of course recognizing that the National Energy Board does not establish rates for natural gas for Ontario consumers. However, the National Energy Board does determine transportation tolls that can be charged by TransCanada PipeLines, and these in turn have a very direct effect on the rates for natural gas experienced by Ontario customers.

The ministry does intervene at the hearings on transportation tolls. In fact, I believe the most recent hearings begin this week and the ministry is intervening and providing evidence.

YORK REGION LAND DEVELOPMENT

Mr B. Rae: I want to go back to the Premier. We have here a situation where an individual and his associates made 71 per cent of the contributions to the Liberal Party coming out of York region. That same individual was also the main financial interest behind the purchase of the Premier's family firm.

The activities of that individual and his associates become the subject of public concern, raised not only by the *Globe and Mail* but by several other people: ratepayers, taxpayers, politicians of all kinds. It is also raised within the Ministry of Municipal Affairs, to the point of having a detailed proposal for a royal commission with seven particular points, set out on page 11 of the memorandum, setting out precisely what it is this royal commission will look into.

This royal commission does not happen. It does not happen, apparently, after a meeting in the Premier's own office.

I want to ask the Premier, will he now amend the terms of reference of the Houlden inquiry to tell us why this inquiry was cut off in the first place and to get to the bottom of the potential conflict? Are we not entitled to that information?

Hon Mr Peterson: My honourable friend stands in the House and tries to draw some unrelated facts together to try to make a point based on allegation and innuendo. The member has every right to do that in the immunity of this House, but I can tell my honourable friend that he is quite wrong. It was not cut off. There was never one started. It was an independent inquiry by the police. Surely my honourable friend understands that.

Mr B. Rae: Unless what the Premier is saying is directly contradicted by his former minister, I cannot believe the Premier is asking us to think that this memorandum was not the subject of a conversation with Mr Ashworth and members of the minister's staff. I do not believe that and neither does the Premier. Nobody around here believes that. Surely the Premier will appreciate that the purpose of that meeting was to discuss what other investigations, besides the police investigation, were necessary, or were any others necessary.

I have put forward before the House facts that are a matter of public record. I want to ask the Premier again, will he amend, yes or no, the terms of reference of the Houlden inquiry so that it can deal with this problem as well?

Hon Mr Peterson: I can tell the member that I do not have any fear of looking at any of these matters where he has any facts rather than just allegations and innuendo. The member was told already by the former minister of his recommendations in this particular matter, based on the facts as he knew them, and they supported the idea of an independent look by the police. That is where the situation sits.

Mr Houlden has wide powers under his terms of reference. I can tell the member that if there is any suggestion or any facts, rather than just innuendo, that have to be dealt with, obviously we are prepared to deal with them in an open, independent way.

Mr Sterling: I would like to ask the Premier with regard to this confidential advice to the minister that was attached to the cabinet submission. On page 2 it says, "The police investigations have uncovered some indictable offences, but they feel that a great many problems remain

beneath the surface." That was a document dated 12 January 1989. Then we read the press release of 9 May 1989 wherein it says, "After a thorough investigation, investigators concluded there was no evidence to substantiate a criminal prosecution."

On the one hand, we have a document of January saying there was evidence to lay charges for an indictable offence, and then we have a document three months later saying that there are none. What happened in between?

Hon Mr Peterson: Maybe the Solicitor General could help my friend.

Hon Mr Offer: I can only reiterate what I have indicated before, and that is that I am advised the OPP conducted a full inquiry according to all its rights, privileges and responsibilities and dealt with all the matters in the usual and normal course.

Mr Sterling: We now have two different documents three or four months apart, one saying there is evidence to lay charges because there has been an indictable offence committed in the province—indictable offences, as the minister knows, are the more serious crimes under the Criminal Code—and then we have a document three or four months later on 9 May, saying that after a thorough investigation it was concluded that there was no evidence to substantiate a criminal prosecution.

To me, that suggests something happened between 12 January and 9 May 1989 whereby either the police or the crown discounted the evidence that was found before and made a different determination. I do not understand how, when you have evidence to lay charges for one of the more serious crimes, you then can later decide you do not have any evidence at all.

Can the Solicitor General explain the difference?

Hon Mr Offer: The OPP, as well as all regional and municipal police forces, is charged with the responsibility of investigating any allegations of criminality. The OPP, I am advised, as in other cases, has conducted the usual and proper investigation into this matter and from the conclusions of that acted in what it believes is the best interest, based on all the information it had.

CHARITABLE GAMING

Miss Roberts: My question is to the Minister of Consumer and Commercial Relations. Recently, members of the Royal Canadian Legion, Branch 81, Aylmer, contacted me to express their frustration about not being able to get a

Monte Carlo licence for the legion's annual turkey raffle, a fund-raising event. This is to be held 15 December 1989. This is the first year the legion has held such an event having gaming tables. The legion held an event on 24 November and it had a Monte Carlo licence for that, but when it applied for the second Monte Carlo licence on 15 December, it was told it had to wait 50 days.

Is there a minimum number of gaming tables allowed at an event before a licence is required? Could the minister please clarify why the 50-day stipulation is there?

Hon Mr Sorbara: I want to say to my friend the member for Elgin that I understand the predicament the legion is in. In answer to her question, let me first say that for any charitable night that involves gaming tables an application must be made to the Ministry of Consumer and Commercial Relations for a licence, I think for obvious reasons, and then there are guidelines that establish how many tables might be set up at that casino night.

The problem, and it is an unfortunate problem that exists for the Aylmer legion, is that there is a guideline in place which provides that these sorts of casino nights must take place at least 50 days after a similar night sponsored by the same organization has taken place. I think that is for obvious reasons. Those reasons are that one would not want to have a situation where one organization or another simply turned its right to apply for such a licence into the establishment of a regular sort of free-standing, Las Vegas-style casino. So there is that policy guideline that provides for 50 days between events.

1430

Miss Roberts: Yes, but many of the nonprofit organizations and community groups in my area depend on fund-raising activities to do the work that they do in the communities. Is there a possibility for a group such as the legion in Aylmer to request an exemption so that it can have this particular fund-raising event? They do not have several a year. They have only two this year and they happen to be in November and December.

Hon Mr Sorbara: The short answer to that is yes, because we are dealing with guidelines, there is obviously a possibility that an exemption could be made for the Aylmer legion. The legion should simply direct a request to my ministry and that would be considered.

There are approximately 80,000 charities in the province that depend on the right to hold casino nights and bingos in order to raise funds.

Many of them have encountered problems with the current regulatory framework and we are looking to a revised order in council and indeed a new piece of legislation which will put charities back where they belong, and that is in the driver's seat as far as these sort of charitable gaming activities are concerned.

COURT RULING

Mr Kormos: I have a question of the Attorney General. Last Thursday in Cambridge, Ontario Provincial Court Judge Jim Robson was called upon to hear an application by the local Child and Family Services Review Board regarding a 13-year-old girl. This little girl had repeatedly run away from her home and was being abused and assaulted, sexually and otherwise, by her 19-year-old boyfriend from Montreal. This punk from Montreal had also been a drug supplier for this child.

Surely by anyone's perspectives this little girl is a child in need of protection. How could Judge Robson deny the application and send this child back on to the streets to live with a 19-year-old druggie, child molester and child beater?

Hon Mr Scott: This question is naturally a matter of concern not only to the member but to all members of the House. As the honourable member will perhaps remember, section 96 of the Child and Family Services Act provides that "no service provider shall detain a child or permit a child to be detained in locked premises in the course of the provision of the service to the child except as authorized under part VI." Part VI authorizes a family court judge to make such an order for up to 30 days.

Apparently Judge Robson, after reviewing the facts and hearing the evidence, concluded that no such order should be made because the child would have run away from the facility. He therefore exercised his jurisdiction not to make an order. The children's aid society had the option to appeal the order but it apparently withdrew from the proceedings and decided not to participate further.

Mr Kormos: Parents and others across Ontario are outraged and frightened, quite frankly, by this ruling, a ruling which throws a child on to the streets of Montreal, a 13-year-old little girl who has been assaulted, sexually abused and fed drugs by her 19-year-old boyfriend. What is significant is that it is the same so-called boyfriend whom Judge Robson says should take responsibility for the child. Parents want to know that the courts will protect their children. What is the government going to do to

get this child off the street corner and to ensure that this does not happen again?

Hon Mr Scott: The member knows in this tragic circumstance the father had given up the child and apparently the mother is either unable or it is not possible for her to care for this 13-year-old child, so there is no contest with the parents. The parents simply are not available to exercise any supervision over the child.

As I have indicated to the honourable member, a child can only be held against its will in circumstances in which the law permits. There was no evidence before the judge that the child had been sexually abused or had engaged in any kind of sexual contact. There was no evidence before the judge that the child had been engaged in using drugs of any description. Judge Robson exercised the jurisdiction that is granted to him under the act, particularly in light of the fact that he was aware that the child had indicated clearly that she would not stay in the place in which it was desired to put her for her own protection. He made an order that can be subject to appeal in the normal circumstances if the children's aid society sees fit to appeal.

DRUG ABUSE

Mr Runciman: My question is for the Minister of Tourism and Recreation in his capacity as the member of the executive council responsible for the so-called war on drugs. There was a press report on the weekend indicating that the government is committed to fighting this war without the basic strategic data related to the very significant increase in cocaine use in the province of Ontario. I would like to hear the minister's response to that charge.

Hon Mr Black: I should first of all point out to the member that I think the article referred to data related to treatment and rehabilitation programs. We have annual surveys from the Addiction Research Foundation which give us reports on use of illicit substances including cocaine.

However, I also want to point out to him that most people who use illicit substances are not anxious to report their use to officials of any agency connected with government. They do not rush up and volunteer the information that they may or may not be using illicit substances. The best we can do and the best that any jurisdiction can do, whether it be in Canada, the United States or any other country, is to base our information on reported use and on estimates of use.

Mr Runciman: I do not think the minister read the article. I think most of the information

that was pointed out in the article clearly is attainable by his ministry. He has not done it. It has been a year since the minister tabled his report to this House. Now he is telling us that he is going to spend \$37 million. How can he spend that money effectively and how does he know where to spend it when he has not carried out the necessary studies? How is he going to do an effective job when he does not know where the real needs are?

Hon Mr Black: Let me once again tell the member that I have read the article and I believe I am correct in saying that the focus of that article was a thrust on treatment and rehabilitation programs.

I want to point out to him that from surveys done by the Addiction Research Foundation, which is one of the world's leading organizations in terms of substance abuse and illegal drug use, we have approximations of the amount of drug usage and the use of various substances within Ontario. That is the best that any agency or any government can have.

There is no one, single way of collecting the kind of information that we would like to have or that my friend would like to see us have. We do base our plans and our programs on what we believe are fairly accurate estimates of the kinds of substances that are being used, the rates of addiction, the rates of use. We gather that information from a variety of sources. We gather it from police forces here in Ontario and across the country, we gather it from the Addiction Research Foundation, we gather it from reports of treatment centres that are looking after the needs of people across this province.

We do have good, accurate estimates of reported drug usage. The kind of specific information that my friend would like to see in place is the very kind of information that we would like to see in place. It simply is not available in Ontario, it is not available in Canada, it is not available in the United States. People do not rush forward to report their practice with illegal substances.

ONTARIO LOTTERY CORP

Mr Daigeler: My question is also to the Minister of Tourism and Recreation. A few weeks ago, the Ontario Lottery Corp introduced yet another lottery game called Encore. Do not get me wrong, I do not have difficulty in principle with lotteries or gambling. However, I very much question whether the Ontario Lottery Corp should continue its very aggressive marketing strategy. As the minister knows, many

people see lotteries as a form of regressive taxation.

In view of these concerns, is the minister prepared to tell the Ontario Lottery Corp to slow down or to cool it with its very zealous business plans?

Hon Mr Black: Let me first of all say that the Ontario Lottery Corp is an arm's-length agency of the provincial government. As such, it has a very competent board of directors headed by a very competent chairman and it has in place a management team which directs the daily activities of the Ontario Lottery Corp.

I can tell the member that in my view the business plans of the Ontario Lottery Corp are, and indeed need to continue to be, sensitive to the feelings of the public of Ontario. They serve the public of Ontario.

I can tell him also that I meet on a regular basis with the chairman of the board and he and I share our views and concerns on a number of issues. One of those issues, obviously, is the marketing plans of that agency. When I receive complaints or concerns about the marketing plans or the advertising strategies, I pass on all of those complaints to the corporation so that it is aware of the kind of public feedback we are getting.

1440

Mr Daigeler: I am pleased that the minister is sensitive to the concern I am expressing and that he is bringing that up with the chairman of the lottery corporation.

Can the minister advise the House if he is aware of whether either his ministry or the corporation is doing any surveys on the income level of the people who are purchasing lottery tickets and whether his ministry is monitoring the social problems associated with excessive gambling?

Hon Mr Black: I can tell the member for Nepean that some studies have been done just recently. They are based on public opinion studies dated 1987 and conducted by Hutchinson-Reid, a firm which specializes in these kinds of surveys. They would indicate—and I have to get these statistics correct—that approximately 46 per cent of the people who spend money on lottery games earn between \$30,000 and \$40,000 annually. They are not, by and large, people who are below the poverty line or people who are on very low incomes.

I can also point out to him that a recent newspaper article indicated that some research done by one of the leading experts in the field of gambling and addictions indicated that, by and large, people who have a gambling problem do

not spend their money on lotteries. They find that does not satisfy their need. They find that they need a more instant reaction than waiting for a lottery draw to come up.

We are content at this time that there is no clear evidence that we are aware of or have been made aware of that would suggest that people with a gambling addiction spend their money on lotteries.

WORKERS' COMPENSATION

Miss Martel: I have a question of the Minister of Labour. I want to return to this issue of the government's position on section 86n of the Workers' Compensation Act. Last week the minister advised that this whole matter of who has final say was being considered by both labour and employers through the green paper process. What he did not tell the House was that in fact there is no consensus on this issue. Labour believes that the Workers' Compensation Appeals Tribunal shall have the final say, and the employers believe that it should be the Workers' Compensation Board itself which has the final authority.

Given that there is going to be no consensus between the groups, I would like to ask the minister again what his government's position is on section 86n of the act.

Hon Mr Phillips: As I said, I think if we are going to have a green paper to discuss the matter, we should have a green paper to discuss it, rather than our making a decision in advance of it. It is quite clear there is some confusion about who has the final responsibility. I am not about to make a decision on that because I think all of us would want the green paper exercise to be one which people have an opportunity to express their point of view on, and rather than predetermining that issue I think it should be part of the consultations.

Miss Martel: If I thought the green paper process would work, I would agree with the minister, but I do not, given the differences of opinion.

I would like to raise with him a second case, the case of Gil Cabral. In February 1982, a six-foot steel pipe fell on his left foot. He was paid benefits until September 1982 and these were terminated. The worker appealed to the Workers' Compensation Appeals Tribunal in February 1987 and his appeal was granted in part in December 1987. The WCAT directed the board to pay partial benefits until the board believed the injury had ceased or until it became permanent. The board of directors has stayed the decision and not a penny has been paid out since

1987. Mr Cabral lives in Metropolitan Toronto on less than \$800 a month, and the board refuses to give him the \$54,000 that it now owes him.

I would like to ask the minister if he thinks this is fair and should continue.

Hon Mr Phillips: On both points, I really believe strongly that if we are going to have a green paper to discuss the matter, it would be incorrect for me to make a decision in advance of it. On this specific case, again, as I said to the member on another matter, these are decisions that the Workers' Compensation Board will make. I would be happy to look into any instance where she or any other member would like to have information on a specific case because the WCB is anxious to ensure that people are aware of situations like this.

On the specific case, I will look into it. On the question of who has the final authority, the tribunal or the Workers' Compensation Board, as I said, it is a very complicated matter and once which will require a fair bit of consultation and a fair bit of discussion.

SENIOR CITIZENS' SERVICES

Mr J. M. Johnson: My question is to the Premier. As the Premier is a very compassionate individual, I am seeking his assistance to resolve a very serious problem our disabled senior citizens are encountering if they happen to live in a second-storey apartment in a senior citizens' complex.

Many of these homes do not have elevators and if a senior living on the second floor becomes disabled through a stroke, a heart attack, a knee operation or a broken hip, he then does not have access to his own home. If an elevator were available, he would be able to leave the hospital earlier and return to his home.

I am sure the Premier agrees this would be beneficial to all of us. Will he use his good office to help resolve this very important situation?

Hon Mr Peterson: I appreciate my honourable friend's bringing this to my attention. May I just ask my honourable friend if he is referring to this as a generic problem or a specific situation in which we could be of assistance? Obviously, I will discuss the matter he raised with my colleagues, but if he could help me a little more in that regard I could perhaps be of more specific assistance.

Mr J. M. Johnson: The problem is that I have raised this for the past three or four years with the Minister without Portfolio responsible for disabled persons, the Minister without Portfolio responsible for senior citizens and the Minister of

Housing. It does not fall within any of their mandates; even in the federal government, no one will accept the responsibility for the problem.

The problem is structural. The buildings were erected without any concern for what would happen to seniors living on the second floor if they did become disabled. There are many buildings around the province in this condition. I think we should all work to resolve it and what I think is needed at this time is for the Premier's office to work with the three ministries I have mentioned and see if we can work together to come up with a policy to start retrofitting the buildings so that our senior citizens will not be denied access to their own homes.

Hon Mr Peterson: I thank my honourable friend for the point he makes. I was not sure whether it applied to a specific building or a generic thing. The point he makes is well taken and I will certainly discuss it with my colleagues and we will do the best we can. I am not sure, frankly, of the extent of the problem—it may be very widespread—or indeed, what our legislative authority is in that regard, but it is a very good and compassionate point my friend makes.

FOREIGN-TRAINED MEDICAL PROFESSIONALS

Mr Neumann: My question is for the Minister of Health. Recent news reports indicate that foreign-trained nurses whose first language may not be English are being asked to write English-language proficiency tests prior to being able to practise nursing in Ontario.

Can the minister tell us whether this is a fair practice or if she has investigated whether or not it might be an undue barrier to filling our nursing shortage here in Ontario?

Hon Mrs Caplan: I thank the member for his interest in this question. As members of the House know, nursing is a self-governing, independent profession and the College of Nurses of Ontario has responsibility for licensing, governance, regulations and testing of those who will be licensed in the province. They are an independent body, independent of government.

I know that the college of nurses is aware of this situation and I can say to the member that while the ministry has taken a number of initiatives to enhance the quality of worklife for nurses and to acknowledge this situation of nursing as an independent profession in the province, I am also aware that the college of nurses will be meeting with the Mr Cumming next month to discuss his report and recommen-

dations, which affect it as an independent, self-governing body responsible for licensing.

Mr Neumann: Similarly, physicians with overseas training have met with barriers in their attempts to practise in this province. Could the minister update the House with respect to what is being done to address this issue?

Hon Mrs Caplan: We have discussed this issue in this House on a number of occasions. There are some who believe that foreign-trained medical professionals are the answer for northern Ontario, and I have said I do not agree with that as an analysis of the situation. I feel that opportunities should be there for young Ontarians to become physicians, and that if we were to make a decision that would allow unfettered access into Ontario for foreign-trained physicians, that would jeopardize the opportunity for young Ontarians and actually require the closing of some of our own medical schools.

Having said that, he should know, and I am sure he does, that the College of Physicians and Surgeons of Ontario is the licensing body and is the one that determines eligibility for licensing for all physicians in this province. They are independent, self-governing and self-regulating, as is the nursing profession, which I mentioned a moment ago. He should know as well that the ministry funds 24 physicians for free internship in the province.

1450

MULTICULTURAL SERVICES

Mr Allen: A question to the Minister of Citizenship: Chinese Family Life Services of Metropolitan Toronto exists to serve some 300,000 people of Chinese origin in this community. Recently, it completed a survey which discovered an alarming incidence of wife abuse in that community where it is doubly difficult to deal with because of certain cultural values that are part of that community's heritage. That agency has only two staff people and faces already significant waiting lists without even getting into this major problem in the proportions that the report has indicated.

Can the minister tell me how it is that this government provides sufficient support for the hiring of only two personnel for an agency that is providing culturally sensitive services to some 300,000 people of Chinese origin in Toronto?

Hon Mr Wong: This is, I believe, a very sensitive issue. I attended the press conference that the Chinese Family Life Services organization held last week. I was there with my colleague the Minister without Portfolio respon-

sible for women's issues (Mrs Wilson). Having listened to the specific concerns that were raised, I agree with the honourable member that there are issues here beyond community and family service; they are also issues of being culturally sensitive and linguistically sensitive.

With respect to whether the provincial government is providing enough and adequate resources to this program vis-à-vis the broad cross-section of programs, let me inform the honourable member that upon concluding that press conference I returned to the Legislature here and spoke with my colleagues the Minister of Community and Social Services (Mr Beer), the Minister of Health (Mrs Caplan) and of course my colleague the minister responsible for women's affairs with a view to getting together to discuss this matter one more time to see if there were some other things we could do to address these specific concerns that were raised.

Mr Allen: It is profoundly disturbing when one of the ministers whom we consulted indicated at the time of that press conference that she did not want to deliver these services through multicultural agencies; she wanted to do it through mainstream services. When a spokesperson for the mainstream service in Toronto, the Family Service Association of Metropolitan Toronto, tells us, "We don't have the resources to deal with such large communities as these; and besides, when people from those communities come to us, they say they are distinctly uncomfortable in dealing with us," there is something profoundly problematic in all that, it seems to me.

Can the minister tell us something more? Surely the minister will be insisting, with this group of ministers he is meeting with, that these culturally sensitive services may well be, and properly should be, delivered through a multicultural agency which has a sense of sensitivity for the problem concerned and the community concerned?

Hon Mr Wong: I think the central, fundamental point which the honourable member has raised is the way in which the government currently addresses problems, whether they are in family services delivery or in other areas, be it health or other services of the government. The key question in the words he used is whether it should be mainstream or ethnically or culturally specific. This is precisely the point that I think has to be re-examined. Upon initially conferring with my ministerial colleagues, let me assure the honourable member that we will pursue this issue

vigorously and hopefully come up with a solution that is better than the one we currently have.

ALCOHOL ABUSE

Mr Harris: I have a question for the minister responsible for the provincial anti-drug strategy if he is still available. I do not know what it is he was taking to let him assume he should be in the Premier's chair, but I—

The Speaker: He is in his place, and now you may place your question.

Mr Harris: I wonder if the minister could tell us if he considers alcohol to be a drug, and does he believe alcohol abuse to be part of the drug problem in our society that he is to address in his role as minister?

Hon Mr Black: First of all, let me say that for the past year and a half I have been saying publicly at every opportunity that one of the largest problems that our society faces is the irresponsible use of alcohol. I think we have to recognize that illicit drug use is part of that larger problem of substance abuse and chemical dependency. The particular mandate of my anti-drug strategy is to deal with the use of illegal drugs, which includes the use of alcohol up to the age of 18, but we recognize that in dealing with that problem many of the programs we will support will provide some prevention for the alcohol problem as well.

Mr Harris: I assume the minister in referring to the age of 18 is not trying to lower the drinking age from 19 to 18; perhaps he meant 19, and maybe I could correct the record for him and assume that.

If the minister believes that alcohol is part of his mandate, can he explain why in this announcement last week, with great fanfare but minuscule amounts of money, not one mention was made of alcohol, not one mention specifically, nor was there any reference to fighting alcohol abuse as part of that strategy, in spite of the fact that he will know the Addiction Research Foundation has said it is the number one drug problem in Ontario today? Can the minister explain why not one mention was made in this great fanfare announcement last week?

Hon Mr Black: I would certainly not want to suggest that the member for Nipissing, being the very fine and responsible member he is, has not done his homework, but I would point out to him that in this little booklet here, called the Provincial Anti-Drug Strategy, there are several references to alcohol and to the fact, as I have just stated, that illegal drug use is part of that larger

problem. I am not sure whether the member for Nipissing would like to revisit that document again. If he does not have a copy, I will be happy to send one over to him. It is called Reducing the Illegal Use of Drugs in Ontario—A Provincial Strategy, and it does indeed mention alcohol.

I want to tell him also that I was up in his riding on Thursday of last week and visited one of the very fine treatment programs in this province, the St Joseph's treatment program in North Bay. I spent some time there, discussing with them their very fine approaches to the problems of treatment and rehabilitation in the north. I want to compliment him on being a representative of such a fine group of people and the very excellent work they do in the fields of treatment and rehabilitation.

PLATES FOR THE DISABLED

Mr Faubert: I have a question for the Minister without Portfolio responsible for senior citizens' affairs. In this weekend's travel section of one of the well-known morning presses, it was reported that seniors travelling to Florida having a licence plate showing the handicap symbol have been ticketed by many municipal police forces in Florida for parking in handicapped spots. In some instances the fines have been as high as \$100. Upon them making inquiries, they were told that Ontario does not have a reciprocal agreement with the state of Florida for recognition of handicap-designated vehicles.

Could the minister look into this matter with his colleagues, bring it to the attention of his colleagues the Minister without Portfolio responsible for disabled persons (Ms Collins) and the Minister of Transportation (Mr Wrye), to rectify the situation?

Hon Mr Morin: I was not expecting this question, but let me tell my honourable colleague that any issues which are related to seniors that create any embarrassment for seniors certainly are of concern to me. I will certainly discuss the issue with my colleague the Minister of Transportation and come back to the member on this issue.

1500

INTRODUCTION OF BILLS

EMPLOYMENT STANDARDS AMENDMENT ACT, 1989

Mr Mackenzie moved first reading of Bill 82, An Act to amend the Employment Standards Act.

Motion agreed to.

Mr Mackenzie: The bill provides that the minimum wage in Ontario cannot be less than 65 per cent of the previous year's industrial aggregate average for the province, as published by Statistics Canada.

EDUCATION AMENDMENT ACT, 1989

Mr R. F. Johnston moved first reading of Bill 83, An Act to amend the Education Act.

Motion agreed to.

Mr R. F. Johnston: This is a very short bill which makes two major changes to the Education Act. First, it requires that American sign language and la langue des signes québécois be used as languages of instruction in schools for the deaf and other schools in Ontario where the number of pupils warrants their use. The bill also recognizes ASL and LSQ as heritage languages in the education system.

ORDERS OF THE DAY

MINING AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 71, An Act to amend the Mining Act.

Mr Harris: I want to say a few words on Bill 71, An Act to amend the Mining Act, and to say how long it has taken the government to move on this bill and to let it be known that I am not criticizing this Minister of Mines (Mr O'Neil). He has not been the minister for that long a time, and I do not want him to take personally any comments I may make with reference to the fact that this bill is only coming in towards the tail end of 1989 when we believe it should have been given priority in 1985, 1986, 1987 or 1988.

It is a piece of legislation that is long overdue. It is designed to bring Ontario's Mining Act up to date. It is the first significant update of the Mining Act, I believe, of 1906.

The Deputy Speaker: Order, please. There are many private conversations. The member for Nipissing may resume.

Mr Harris: Obviously I cannot lay any blame at the feet of the current minister, other than the fact that he was in cabinet when undoubtedly the Mining Act was discussed and was part of the collective process that shuffled it to the bottom of the legislative agenda session after session since this government took office in 1985.

I noted on Thursday that my colleague—I am supposed to refer only to his riding—the member for Lake Nipigon (Mr Pouliot) had referred to the fact that this government has looked at mining

enough that when it took office there was \$13 million of tax levied against the mining industry and today there is \$150 million of tax levied against the mining industry. They have been quick to make changes affecting the mining industry on the taxation side, and very slow—in fact, they sat there for some five years—to make changes to benefit the mining industry, to help streamline the way it operates and to bring industry, in the regulatory sense that this province has a mandate for, into the 20th century and indeed prepare for the 21st century.

Those are astounding figures. They have increased the tax haul primarily out of northern Ontario, where the mining industry is most active—they have increased the tax haul more than 10-fold since they have taken office—but sat with this piece of legislation for such a long period of time.

We will support the legislation; I do not want to take too long today because we want to get through second reading of this legislation. We want to get into committee of the whole where we can take a look in detail at the specifics of the sections of the legislation.

But it is a pretty sad day when those involved in the mining sector, the mining industries and the Prospectors and Developers Association of Canada, say to me when I talk to them about the bill: "Mike, we've got some concerns. We have concerns about the amount that is now going to be removed from the legislation and put into regulation."

They are concerned whenever a government of any stripe—federally, provincially, municipally—says, "Well, we are not going to put it into legislation, but trust us." They have concerns, members would understand, because there is no more public input once it passes the legislative stage and it goes into the regulatory stage; the government can change those regulations and set them without any consultation, without any debate.

The Minister of Health (Mrs Caplan) said to the radiologists recently: "I am not going to change the legislation to answer your concerns. I agree you've got legitimate concerns; there is a major problem with the legislation. But trust me, I will make the changes in the regulations." Given the record of all governments, quite frankly, on "trust me," and that of this government in particular, members could appreciate the lack of confidence that those who are affected by legislation have when a minister of this Liberal cabinet says: "Don't worry. I know what we want is not in the legislation, and I know we are going

to remove some sections from the legislation. Trust me, we will do you right by the regulations."

The record of this administration over the past four and a half years of saying it will consult or reflect fairly has not been very good, and given the added knowledge that there is no more debate and no other forum in the Legislature or in committee for anybody to express those viewpoints, they are legitimately concerned.

They say to me, though, "Mike, this government has put this bill off for so long." This is the same legislation that the member for Cochrane South (Mr Pope) introduced into this House in 1984, after a white paper and after consulting with the industry. I guess that was before Christmas in the fall of 1984.

Then there was a leadership event in my party, quite an exciting event, one I am looking forward to in the future as well, as members would appreciate. Thank you, Mr Speaker, for letting me slip that little plug in without calling me to order.

1510

At that time, I was appointed the Minister of Natural Resources, responsible for the Mining Act. So while I was not minister very long, as members will recall, and those members who are students of political history will recall—

Mr Villeneuve: That was when the ministry was in good hands.

Mr Harris: —as the member for Stormont, Dundas and Glengarry says, that was when it was in good hands. I think it was, quite frankly, in good hands.

As short a time as I was there, the one legislative priority I had was to get that Mining Act reintroduced. We reintroduced it back into the House and served notice that we were prepared to deal with it quickly and to get on with it. Of course, events overtook us. There were many other fronts that were calling for attention and that I would have liked to move on. Many of them I did move on. As members may recall, in the environment area, I was the minister who banned chemical sprays in northern Ontario, for the first time in history, for the budworm problem and made the commitment at that time to triple the number of dollars available so that we could use a safe, effective biological spray.

There were a number of other areas but legislatively I really only had time for one, and my top priority was the Mining Act. I introduced it, got it back into the House and asked whether we could not move ahead with it. Events, members will recall, overtook me. There was a

change not too long after that period of time. It was suggested to me by a new coalition of two people occupying the Office of the Premier. The member for York South (Mr B. Rae) and the member for London Centre (Mr Peterson) at that time, as I recall, took up joint occupancy of the Premier's office.

The member for York South only lasted about half an hour, I think. My recollection is the Premier, the member for London Centre, said: "Bob, I think you've misunderstood, already, the accord. We're not sharing this office. Get back to your own side. Thanks very much for power. We'll see you later." None the less, it was suggested by the member for London Centre that being a Conservative was not one of the qualifications he was looking for in his cabinet, not that I might have accepted had he offered, and I was asked to step aside and let a new Liberal minister take over.

That new Liberal minister took over. My concern is, aside from a complete shemuzzle of resource policy in the ensuing four and a half years, specifically with respect to Bill 71, An Act to amend the Mining Act, that it was sat on and sat on and it did not meet the criteria of importance from any cabinet, and there have been a number of cabinets now. As members know, they shuffle in and out pretty fast over there. Not one of those cabinets has seen fit until today, or until this past couple of weeks, to give any priority to this legislation.

Now it is being brought in, according to the mining industry and the prospectors and developers, at the 11th hour, and while they have major concerns—they have significant items of concern—they would really like to see this bill go out to a committee. They would like to have an opportunity to come in and make their representations. They would like to talk, particularly about their concerns of moving so much from legislation to regulation.

They are saying to me: "Mike, we don't trust these guys. If it gets delayed beyond Christmas, if we take that time to carry on—we've finally got this one window of opportunity where the House leader for the government, the Premier and cabinet seem to say, 'Okay, we'll proceed with the Mining Act.' We are afraid that if we take the amount of time necessary to really do a good job on this piece of legislation, we'll never see it again. They'll sit on it for another five years."

That is not a very good way to deal with partners in any area of government where you deal with the stakeholders, with the partners who actually deliver the programs that we mandate. In

this case, I am hearing all across this province from the municipal stakeholders, from the school board stakeholders, from the partners who deliver health care services that this is a government of confrontation, not consultation. We are having great concerns of trust that we are indeed being consulted.

Now I am hearing that same concern from the Prospectors and Developers Association of Canada and from the mining industry. They are saying to me: "Mike, do the best you can. Do what you can in committee of the whole. We know that majority is going to jam it through anyway, but there are some things in there we absolutely have to have. We can't afford to wait another five years." They are saying to me a flawed piece of legislation and changes are better than none, so would I participate and co-operate in that way with this legislation. I think that is most unfortunate. However, as House leader and as a major critic for my party over the last four and a half years, I have to agree with them. I do not trust the government to bring it back either, should we not get it resolved and passed before Christmas.

So I will be supporting the legislation in principle. I am very concerned about being told to take a leap of faith, as the industries are being told to take a leap of faith by moving so much to regulation, but we will do the best we can on behalf of my constituents, on behalf of the mining industry and the prospectors' and developers' industry to try to make this piece of legislation better than it is.

Let me acknowledge publicly it is better than what is there. It has to be brought up to date. There are changes that have to be made, and we will be supportive of that. If the minister takes exception to my comments, he ought not to, because he has not been there long enough to be held responsible for all the dastardly things I am blaming on the current Minister of Education (Mr Conway) and former House leader or on the Premier (Mr Peterson). I hold the two of them accountable very strongly for this bill's not proceeding forward sooner.

Even this administration took four tries. I am reminded that in June 1985 the first minister, the member for Cochrane North (Mr Fontaine), the Minister of Northern Development and Mines, reintroduced Bill 29, An Act to revise the Mining Act, which basically was a reintroduction of my Bill 29, which was a reintroduction of the bill of the member for Cochrane South just before we changed portfolios. Then that died in the Orders

and Notices because the government did not see fit to proceed with it.

Because the then Minister of Northern Development and Mines, the member for Cochrane North, took a little hiatus from Cabinet for a period of time, or a little step back when he rethought throughout that period of time how one acts as a minister, the Premier was the acting minister then in 1986. He, I guess, as a sop to the mining industry and the prospectors' and developers' industry and to northern Ontario, said: "Let's reintroduce this thing again. I know it's got no priority, we won't proceed with it, but maybe if we reintroduce it again, that will keep them happy for another year." So he did that and he tabled Bill 29 again, and that, of course, died on the order paper.

Then the election intervened and this administration got a massive majority, certainly a mandate for change, I would say, from the people of Ontario. What a disappointment it has been to the people of Ontario—the opportunity and the trust that they placed in this administration on 10 September 1987 and that disappointment through all policy areas and particularly in the spending capacity and the massive tax increases; however, disappointment as well in the mining industry and with Bill 71 because it did nothing. Now that they had a majority, they said: "We don't have to pretend any more. We don't have to introduce the bill and pretend that we are going to do it. We'll just ignore it completely, and when we get around to it, when we have time, after we deal with everything else, we'll get around to the mining industry. Who cares? We've got 94 seats." So nothing happened for the rest of 1987.

1520

Then in 1988 came a giant step backwards when the Liberals went back off the legislation and introduced a green paper. We had draft legislation, we had a white paper and then we had the actual legislation introduced. Then I reintroduced it, then they reintroduced it, and then they reintroduced it, and then they went so far backwards they said: "Look, I don't think it's going to fly to reintroduce this for the fifth time. The Tories have done it twice. We didn't let them get on with it. We have now done it twice ourselves. I don't think, politically, it's going to fly. We ignored it then for a couple of years, so let's try and see if they'll forget about the past. Let's see if the industry, the public and the Legislature will forget that we had no priority for it and forget about the past. Let's put out a green paper and pretend we are starting all over again."

Of course, that did not fly very far, and the industry then began to wonder whether we would go from a green paper to a white paper to no paper and that would be the end of it. They rose up. They spoke out loud and clear, as did my colleagues in the New Democratic Party, as did my party, to say: "This has gone on long enough. We must get on with reforming the way our mining industry, our prospectors' and developers' industry is operating in Ontario. We have to catch up now with all of the other provinces and get into the 21st century." But I tell the House, it has been a long struggle, and finally we are at this stage.

So I congratulate the minister on doing something that the member for Cochrane North was unable to do, that the member for Renfrew North (Mr Conway) was unable to do, that the Premier, in his capacity as Minister of Northern Development and Mines, was unable to do.

Finally, I congratulate the industries; I congratulate my colleagues, I am sure, from northern Ontario in the Liberal Party who would have come forward and said, "Look, this has gone on long enough. They are going to laugh us out of our seats in the next election. They might do it anyway, but at least let's make some attempt to reform the Mining Act," and I congratulate members on all sides of the House who continued to press, continued to push.

There are the Prospectors and Developers Association of Canada, the mining industry and certainly Pat Reid, that great individualist—the only member, I guess, to the best of my knowledge, of the Liberal-Labour Party in this chamber. Maybe there were others; he is the only one I remember in my time—who resigned his seat in disgust with his party, moved on to the private sector and then lobbied on behalf of the industry, as we know, so effectively to get Bill 71 into this House and to get on with it.

There are a number of specifics that I know the minister will be aware the industry has talked to him about. I want also, in congratulating everyone concerned, including the minister, in getting to this stage, to say I apologize that on Thursday I could not be present in the House for his remarks. I have read through them and I read into them that he is willing, even at the 11th hour and 59th minute, to make some changes in committee of the whole House which the industry is concerned about. I hope indeed that is the case, that he will take those concerns into account.

I know he cannot take them all into account. I know he has been told, as this government has

operated in so many other pieces of legislation: "Let's leave as much as we can for regulation so we can smoke that through on our own behind closed doors"—the member for Niagara Falls (Mr Kerrio) is here—"the same way we developed parks policy, where we can ignore all the consultations and the open houses and all the representations. Let's get it into regulation, not into legislation, because you know that's debatable and it's up front. Let's get as much as we can into regulation where we can smoke it through without any consultation."

I and my party will vote for this piece of legislation on second reading. We will support it. I hope that is today, and we look forward to committee of the whole deliberations on this bill, as I understand, perhaps later this week, if not early next week. Let's hope that we can collectively, working with the partners, working with the stakeholders, with the interest group, indeed take a piece of legislation that is better than what is there and make it even better on behalf of regulating an industry so important to northern Ontario, in particular, but indeed to all of those who are dependent on the mining industry for their jobs, for their future and for all of the related jobs.

Hon Mr O'Neil: First of all, I would like to thank both the opposition critics, the member for Lake Nipigon and the member for Nipissing for their very kind comments that were given both on Thursday and today, because I also feel that Bill 71, to regulate the mining industry, is a very good one. I think I should possibly just correct a few of the things that the member for Nipissing mentioned, although I thank him for his enthusiasm and his support of the bill.

I might mention that this bill, of course, has not really been changed since approximately 1906 in any major way. Although when he became the minister in June of 1985 it might have been his desire to really bring about some changes to it and make sure it was introduced, the events of the day did not make that happen. I might mention that his party, for some 42 years, had an opportunity to make those changes and to reintroduce that bill or to introduce a new bill, and that was not done. As I say, I give him the benefit of the doubt, and it may have been that had he been there for a little longer, he certainly would have made sure a bill that is so important to the mining industry in Ontario would have been brought in right away and would have been passed.

I might also say that he mentions the two Liberal ministers who were responsible for the

bill—were there three?—about not introducing those. I would say that in each of their ways each one of those ministers worked towards that bill's coming forward today, and I will especially mention the member for Renfrew North, who not only was very instrumental in making sure that we had the green paper produced and that we went all around the province of Ontario listening to the comments that were made by people in the mining industry that helped to formulate that green paper but also he has been very supportive to this government not only during that time but since then. As the member says, we have to impress upon not only all the members of this Legislature but the public of Ontario how important the mining industry is to us; that last year it generated close to between \$7 billion and \$8 billion, and it provided many thousands upon thousands of jobs. If I had not had the support of the member for Renfrew North when I appeared before cabinet and caucus, this bill would not be here.

I would also like to say that the member for Nipissing mentioned that there was some concern in the industry, but I will tell him that both the member for Renfrew North, in his consultations with the prospectors and developers, the Ontario Mining Association and also many other groups across the province, and my own consultation with them—I feel that we have worked very closely with him. In fact, even up to today, I believe, we have been in contact with people in these different groups. We have discussed with them the new Mining Act and the type of amendments that they would like to see. Although we may not be able to cover all of the amendments that they would like to see done, I do feel that we in the government have gone a long way in meetings and phone calls and consultation with all of these groups to bring in a bill that I feel we can be very justly proud of.

I should also like to add a word of thanks to, as I mentioned, the critics and the members of the other parties and the House leaders for allowing us to bring this bill forward. I would also like to thank the staff of the ministry who have worked very hard and very long hours in helping to put it together; also my personal staff, especially Michael Brooks, who again has worked very many long hours in helping to make this thing happen.

As the member for Nipissing mentioned, it is hoped that the bill will go to committee of the whole House some time either Wednesday or the first of the week. We will be proposing amendments which we will be sharing hopefully

today with the opposition critics so that they will be aware of them. We hope to bring those amendments in during committee of the whole House.

Motion agreed to.

Bill ordered for committee of the whole House.

1530

TEACHERS' PENSION ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 66, An Act to revise the Teachers' Superannuation Act, 1983 and to make related amendments to the Teaching Profession Act.

Mr Morin-Strom: I appreciate the opportunity to be able to address this important bill. Bill 66 follows shortly Bill 36, which was addressed in this Legislature less than two weeks ago, the Public Service Pension Act. In terms of the government thrust, this bill provides many of the same types of changes governing the teachers' superannuation agreement that the government is attempting to impose upon its civil servants in the Public Service Pension Act.

At that time, as the pensions critic for the New Democratic Party, I laid out many of the concerns we had with respect to that initiative for public servants of the province of Ontario, and many of those same arguments apply with equal force to Bill 66, which really provides no tangible benefits to the teaching profession and the security of teachers and their families in their later years.

The pensions policy of this government is certainly not a progressive one, not one that is based upon any sense of shared commitment to the future of the teachers of the province of Ontario and certainly not based on trust that teachers and their representatives would be able to act in their own best interests in formulating and negotiating a pension plan for their future.

This bill attempts to combine the existing teachers' superannuation fund with the teachers' superannuation adjustment fund and calls for an increase of one per cent in the employee contributions to the new fund. Teachers in the province of Ontario now pay 7.9 per cent of their gross salary to the fund which is the highest teacher contribution anywhere in Canada.

Unfortunately, the increase in the payment that is being demanded by the government will have no corresponding increases in terms of pension benefits. There is no redress to the teaching profession for the increased payments

that are going to come straight out of the wages that teachers are paid in the province of Ontario.

In effect, they are going to receive a one per cent reduction in their wages for the coming year and for all successive years until they reach retirement age, and this payment is largely to pay off the mismanagement of the teachers' superannuation fund by the government of Ontario.

Study after study has shown that the investment policy of the pension plans, whether it is the public service pension plan or in this case the teachers' superannuation fund, have not achieved the kinds of returns that could have been achieved with diligent investment policy.

The requirement that the government has put on these pension plans, that the funds be turned right back to the government at a favourable rate of interest to the government, has led to the result that the funds have not had the kinds of returns that pension funds should have been able to achieve and have achieved in other areas, particularly in the private sector where a much more balanced investment policy has been historically used.

Bill 66 sets out what the Liberals think of as an equal partnership between government and teachers in the administration of the fund. However, in reality, the partnership as set out in Bill 66 does not give teachers an equal voice in establishing administrative policies for the plan, in determining the level of benefits to beneficiaries of the plan, in setting contribution levels or in establishing actuarial assumptions. This notion of partnership is one of the key concerns that teachers' federations and teachers right across this province have expressed to me and to all members of this Legislature in recent months.

The teachers' federations have complained bitterly that this bill does not provide a fair dispute resolution mechanism and that all the power remains in the hands of the cabinet. The cabinet, through order in council, controls the composition, duties and powers of the pension board and maintains control of actuarial assumptions and future surpluses. This means that teachers are not in control of their own pension funds. Again, teachers want a plan that would give them a full partnership in these decisions.

I and other members of this Legislature have in recent months received a lot of correspondence from teachers. I know with respect to the initial bill that the government tabled in this Legislature in the late spring, Bill 41, that a lot of concerns were expressed and many letters were sent to individual members of this Legislature. Now that act has been rewritten because of numerous

technical faults but without many really substantive changes.

The numbers of amendments that the government saw it was going to have to introduce—as I understand, they were looking at over 100 amendments to Bill 41 in its original form because of the technical misdrafting that the government had on that bill—led to the result that the bill was introduced in its new form, Bill 66. The revisions to the bill did not nearly satisfy the concerns that teachers and their federations have expressed to members of this Legislature.

As an example of the kinds of concerns that we have actually been hearing from individuals throughout the many communities, I will read a letter that I received just earlier today in fact. It arrived in my office here in Toronto. It is a copy of a letter that a teacher in Sault Ste Marie wrote to the Premier of Ontario, and I think it is quite representative of the heartfelt concerns that teachers are feeling with respect to the introduction of this bill and the inadequacies in it. It is dated 21 November, less than one week ago today, and reads as follows:

“Dear Mr Premier:

“Re: Bill 66 concerning the Ontario teachers' pension plan:

“Thank you for your letter of June 22 and the printed matter concerning the Ontario teachers' pension plan.

“I am writing again to express my concern that in spite of a proposed increase of one per cent in my contribution to the plan (a proposal which will considerably reduce my present real income which is the major support for my spouse and two young children) the benefits for teachers will actually be negatively affected by Bill 66.

“I am especially concerned that contributions to the plan will not be mandatory upon novice teachers who may begin their careers as substitute teachers. From personal experience I know that pensions don't seem like a priority until one has many years invested in the profession. Capitalizing on this human trait does not become a government which represents citizens at all stages of their lives.

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“I am also concerned that many retired teachers—a large percentage being women—who for many well documented reasons did not earn salaries as high as male colleagues are presently subsisting on \$8,000 a year. I urge you to change the basis of their pensions to the best five earning years.

“Although I am not directly affected by either of these concerns, I cannot support or applaud a

plan that will decrease my family's real income at a time when we need it most when any additional contributions are not going to help improve the lives of other citizens of Ontario.

"I urge you to reconsider the OTF's position on Bill 66.

"Thank you for your attention to this pressing matter."

I think this is quite indicative of the concerns that we have been hearing from teachers right across the province of Ontario. This is a bill which is asking teachers and their families to give up an additional one per cent of their wages to fund a pension plan which does not include any improvements, including improvements to pensioners who at relatively low cost to the government could have improvements that would make a significant difference in their lives.

Many older retirees who were teachers back in the 1940s, 1950s and 1960s and have now been retired for a number of years are currently living at wages which are really at poverty levels because the pensions they were provided were totally inadequate.

Teachers today have asked, on behalf of their colleagues who served the profession well in previous years, that significant improvements be made to those numbers of elderly pensioners who have assisted in bringing our young people up to the level of educational achievement that we have been able to achieve in the province of Ontario, but this province and this government is unwilling to look at even relatively low cost improvements that would affect those who are most severely disadvantaged by inadequate pensions.

There are a number of concerns that teachers feel with respect to this bill. We know that across Canada millions of Canadian employees do have the right to decide their future through pension negotiations. The teachers' superannuation fund was established in 1917, but 72 years later the Ontario government still controls teachers' pensions unilaterally.

Teachers and the government are at loggerheads over a simple issue. Teachers want a say in the management of their pension funds; they want a say about how much they pay; they want a say about how much they are going to get back for what they pay, and they want a say about how the assets of the funds are going to be managed.

Surely this is not too unreasonable a request. After all, teachers and their unions have the rights today to be able to negotiate salary levels, working conditions and benefits in a wide variety

of areas. Why do we, as a government, prevent the teachers from having those same kinds of rights with respect to negotiating improvements and the terms of reference for their own pension plan?

Surely within the private sector we have an established principle that unions do have the right to negotiate the levels of pension benefits and the pension plans they are going to look forward to in their retirement years. I do not understand why a government that has established that right in the private sector would want to deny it in the public sector to the teaching profession.

The government must have an understanding of the competence and the ability of teachers to be able to negotiate pension plans that will reasonably protect not only themselves and their families but also the funds that are in those plans, for future generations.

Last September, the Treasurer (Mr R. F. Nixon) invited the Ontario Teachers' Federation to enter into the negotiations, or discussions as the government would call them, to strike a new pension deal. The Treasurer set the agenda for the pension discussions. He said: "Teachers and the government should be full and equal partners in the amount they contribute to the plan, in the way they share risks and rewards and in the role they play in the management of the pension funds in the future." But when the OTF demanded a mechanism to resolve disputes between equals, the Treasurer totally broke off discussions and prepared to legislate the future of the teachers of this province.

This government has been unwilling to negotiate a real deal with the teachers of the province of Ontario. Teachers are insisting that a dispute mechanism be established so that they will have the ability to reach a fairly agreed upon settlement when it comes to pension disputes.

There has been tremendous confusion from the government as well in terms of the valuation of the teachers' pension plans. When pension discussions began in the spring of 1988, the surplus in the teachers' superannuation fund was said to be at a level of \$461 million. Then last fall when the teachers' superannuation commission's actuaries actually discovered that they underestimated annual salaries, the surplus plunged to an estimated \$33 million. But before Christmas the government and OTF representatives agreed that the commission's actuarial assumptions again were too conservative. During pension talks government actuaries then set the teachers' superannuation fund surplus at some \$1.8 billion.

The confusion between the various figures with respect to the actual status of this plan has not lent any credibility to this government with respect to its ability to manage, control and know what is going on with the pension funds of the teachers of the province of Ontario.

Tremendous concern has been expressed by teachers over the years about the inadequacy of the rates of return on the pension investments. Those pension funds have not gone into investment at market rates. They have not been able to go into the private sector into investments in stocks and bonds. Instead the funds have always gone back to the government for the government's own use and, for many years, at rates of interest which were much below the going rates.

Until recently, the government borrowed from the teachers' superannuation fund at below market rates. For example, back in 1972, the teachers' superannuation fund had more than \$700 million in assets rolled over at six per cent. That was some 2.57 per cent lower than the going rate for investment of new pension money. But what is worse, that \$700 million was locked in at six per cent for 15 to 20 years, years that boasted the highest interest rates in Canadian history.

As a result, while many private pension plans were building up significant surpluses, the teachers' superannuation fund was not generating those same kinds of surpluses, and now the government is faced with what it claims is a combined deficit between the two plans that are being joined in this bill.

In the mid-1970s and back, it was the then opposition leader, the current Treasurer, who chastised the Conservative government for borrowing some \$70 million over 20 years from the teachers' superannuation fund at more than two per cent less than what the government was paying to borrow on regular money markets. In the late 1970s, when the pension commission's conservative assumption showed that the teachers' superannuation fund was in deficit, the government whined because it had to make good on its bad fund management.

For most of the last 72 years, governments have mismanaged the teachers' superannuation fund. They have not tried to maximize the return on the investment of Ontario teachers' deferred wages so that the contributions from taxpayers and teachers could have been reduced or pensions could have been improved and secured.

1550

In fact, this fund has suffered from a most ridiculous conflict of interest. It is the responsibility of the Treasurer to borrow for the province

at the lowest possible rates, but the Treasurer also is the one who is in control of the assets of the province's largest creditor, the teachers' superannuation fund.

The subject of this mismanagement has been a major focus of a number of studies that have been commissioned by the government itself. I would just like to point out some of the recommendations contained in some of the most recent of those studies. It is most unfortunate that this government has not reacted in this legislation to the recommendations its own experts have made to them in these studies.

For example, in August 1987, a report prepared by Laurence Coward was submitted to the Treasurer on the financing of benefits under the Superannuation Adjustment Benefits Act and associated superannuation plans. This report, which was not released until early 1988, is quite a damning one in terms of the investment policy that has been undertaken by the government of Ontario when it comes to teachers' superannuation funds. I will just read briefly from the executive summary and recommendations of this report.

On page 3 it says: "The PSSF"—the public service superannuation fund—"and TSF"—teachers' superannuation fund—"are invested in deposits or debentures with terms of 20 to 25 years. Historically the return on such investments has been poor if changes in capital values are allowed for. Investment of the cash flow in marketable securities would be expected to increase the rate of return of the fund. Such a policy would remove the criticism that the government obtains a subsidy through investing members' contributions at less than competitive rates and would improve the employees' understanding of investment realities."

The reality is that the funds have not been achieving the rates of return that other pension funds have been able to achieve because of those investment policies. As a result, we have a government that is now asking teachers to fund the government's mistake and is asking teachers to pay another one per cent higher payment out of their monthly earnings in order to redress the inadequacies of previous government investment policies. Not only are teachers going to have to pay for those mistakes, but of course the penalty has also been on the taxpayers of Ontario over the years.

Related to the Coward report was a second report undertaken almost at the same time by Malcolm Rowan. It was issued in November 1987. This was a result of the Task Force on the

Investment of Public Service Pension Funds and the report is entitled *In Whose Interest?* I think the title of the report is an indication of the concern that it expresses with respect to whose interest is really being taken into consideration in the investment policies of the pension funds of the public servants, and in this case, of the teachers of the province of Ontario.

The fact is that the interests that have been served have been the government's own interests in terms of getting a cheap source of funds for the province of Ontario, certainly not the interests of its own employees, and in particular of teachers, with respect to ensuring that the best possible return would be achieved in their pension fund.

I just note, from page 1 of the summary and recommendations, some of the key points made by Malcolm Rowan and his task force in this report to the Treasurer.

The first conclusion is that "\$16.7 billion or 45 per cent of all public sector pension fund assets are invested in nonmarket government debt and at rates of return below that which could be achieved if invested in a diversified portfolio of market investments."

He goes on in point 2, "Ontario taxpayers could potentially benefit by at least \$1.2 billion over a period of 10 years if the teachers' superannuation fund (TSF), the public service superannuation fund (PSSF), the superannuation adjustment fund (SAF) and Ontario's Canada pension plan (CPP) funds were invested in market investments."

Point 3 says, "Economic enhancement can best be achieved if public sector pension funds are invested in the capital market."

This is one of the key conclusions of this report and of other reports that have been commissioned by this government. Malcolm Rowan then follows up these conclusions with a number of recommendations. These recommendations include the recommendation that the teachers' superannuation fund should be invested in market investments. They have also asked that public sector pension fund investment should not be further centralized. Surely this is a case, I suggest, where we should be taking this advice and ensuring that the same type of fiduciary responsibility that is expected of private sector pension funds also apply to the teachers' superannuation fund.

There are no provisions in Bill 66 that would ensure the management of the fund would be done with a fiduciary responsibility ensuring that the directors of the fund be responsible for the funds investment policy and ensuring that the

fund achieve a maximum rate of return on investments.

This point is further illustrated by another of the recommendations from the Rowan report where he says, "Public sector funds should be governed by the same rules as private sector funds."

Unfortunately, this legislation, Bill 66, includes provisions that ensure the teachers' superannuation fund will not have to live by the same type of strict financial responsibilities that are demanded of private sector pension funds.

I know the same types of concerns would apply to this bill as have been expressed by professional actuaries with respect to the public sector pension bill. That bill, Bill 36, is currently in committee, and last week in the standing committee on general government we heard from professional actuaries that in their opinion the same kinds of responsibilities that are being applied to private sector funds are not going to be demanded in this bill and in that bill, Bill 36. The same kinds of arguments can be made with respect to this bill on the teachers' superannuation fund.

The government is letting itself off the hook, for example, by allowing some 40 years to fund unfunded liabilities in the fund, while in the private sector, deficits or unfunded liabilities have to be funded within a period of 15 years. The government is not applying to itself the same kinds of responsibilities for balanced management of the funds and for ensuring that the funds are put into a diversified portfolio. The government is reserving the right to put the vast majority of these funds back into the province itself as an ongoing means of low-cost financing of the government's ongoing deficits.

The final recommendation of particular concern from the Rowan report is his recommendation that, "Plan members should participate in pension fund decision-making." To me, that is the key to this whole proposal, the inability of this government to see that pension funds belong to the workers of this province. In this case, the teachers of this province should have a real role in being able to manage, control and negotiate—at least to be able to negotiate—on an equal basis their pension futures. This government, in this bill, maintains its control over the pension funds, denying teachers the kinds of rights that are available to any other employees in Ontario.

1600

Following the Coward and Rowan reports was another attempt to stall in terms of government initiative with respect to reforming public sector

pension funds in Ontario. Dr David Slater was commissioned to do another report for the Treasurer. This was issued a year ago, following up on the Rowan and Coward reports.

The Slater report provides many of the same recommendations to the Treasurer, including the following, which are again right from the executive summary. Rather than going into detail, I will just bring some of the key points home that I wish this government would listen to, as they have been presented to it: (1) "To invest the pension funds in marketable assets"; (2) "To place the pension program on an arm's-length basis to the government"; (3) "To increase the level of formal plan member involvement"; (4) "To have the government pay the costs of the large unfunded liabilities for pension rights arising from past service."

These concerns reflect the kinds of concerns teachers have with respect to their pension funds. This government is unwilling to accept responsibility for the mismanagement of the funds in the past, for the inadequacy of the rates of return on those funds, and now is asking the teachers to make up the difference and increase their level of contributions to rectify inadequacies in the past.

I suggest that this government has not looked realistically at an open forum of discussions with the teachers' federations. They have not listened to the concerns that have been expressed by the teachers' federations across this province. They continue to act unilaterally in reasserting government control over the teachers' pension plans.

In this bill, the government suggests the possibility of options for either a joint partnership in running the pension plan or for a third option where potentially teachers could have control of their own pension plan. However, it is quite clear what the government's preferred option is, and that is what is the detail of the bill. The detail of the bill is the ongoing, continued government control of this pension plan, where all the decision-making, the control of the board, the administration and the terms of reference for fund management are totally in the government's hands.

That is the content of the bill. It is only in the introductory notes to the bill that there is the suggestion of the possibility of working out an arrangement for either a joint partnership or a teacher control option that could override the detail of the balance of the bill as it has been written. Unfortunately, there are inadequacies in the indication the government has given for these other two options.

The joint partnership model as outlined in Bill 66 is unacceptable. That model allows teachers to share risks and rewards, but does not give the teachers an equal voice in the partnership. If the government and teachers are to share the risks and rewards, they must also share equally in establishing the administrative policies for the plan, in determining the level of benefits to the plan beneficiaries, in setting contribution levels and in establishing the actuarial assumptions. At the present time, that is not assured in this option, which is thrown out as a possibility.

The other option the government is suggesting as a possibility is an option of teacher control, of their taking over the funds and managing them themselves. However, the model outlined in Bill 66 does not give teachers control of their pension plan. In this model and in the Bill 66 partnership model, cabinet through order in council controls the composition, duties and powers of the pension board and maintains control of the actuarial assumptions and future surpluses.

When it comes to concern about the funding of this plan, one of the most serious concerns has to do with the potential for surpluses in the plan, given better fiscal management in the future. It is absolutely essential that any surplus must remain part of the assets of the teachers' superannuation fund. The government must assume sole responsibility for the existing unfunded liability in the teachers' superannuation fund. Unfortunately, the government is attempting to take any surpluses that may be built up to be able to apply to liabilities in the adjustment fund.

As well, with respect to contribution rates, of course the concern is that teachers are paying one of the highest contribution rates in the country, at 7.9 per cent today, and this bill is asking that they be moved up from that to 8.9 per cent of their gross wages. In many respects, however, the teachers' pension plans are not as good with respect to provisions such as early retirement as pension plans in other provinces of Canada.

I will just come back, in closing, to the serious concerns our party feels with respect to the most fundamental issue in this bill, and that is the total lack of any real negotiability that is contained in Bill 66. This government continues the paternalism of the past. It wants to dictate the terms of the pension plan of the teachers of this province.

Surely it is time we had a progressive look at pension reform and that we had a Minister of Education who was willing to enter into open and honest negotiations with the teachers' federations of this province, give them the right to be able to determine what they believe is in the best

interests of the teachers of this province, and include within that the right to an arbitration mechanism that will ensure disputes can be resolved in a fair manner, not in the dictatorial manner that has been the government approach in the past and that one would certainly expect, under the wording of the current bill, will continue to be the government approach in the future.

Our party feels this bill is completely inadequate. This bill will have to go to committee for extensive public hearings to give the teachers of this province the opportunity to bring their points of view directly to the government. We ask the government to consider serious changes to this bill. As it is currently written, the bill is totally inadequate and would have to be most strongly opposed by our party and I certainly will be doing that.

The Acting Speaker (Mr Breaugh): Any comments or questions? There being none, further debate.

An hon member: The minister is speechless.

The Acting Speaker: The member for Burlington South.

Hon Mr Conway: The junior senator from Georgia now is recognized.

The Acting Speaker: Now, now, you just had your chance to say something.

1610

Mr Jackson: We will remember that the Minister of Education has already expressed interest in the Speaker's chair, based on his performance as the Education minister of this province. I will have to check the remuneration levels to determine whether or not that represents a good deal, but it certainly is a safe place for the Minister of Education in this day and age in Ontario.

Hon Mr Conway: Cam is much better extemporaneously. Don't read this, Cam; you're not going to do yourself justice.

Mr Jackson: I will be more than pleased to respond to the minister in debate and I invite him to the public hearings. I suspect it would be a refreshing change for the Minister of Education to attend public hearings on behalf of his government. As we speak, we are engaged in a serious matter dealing with the pooling of industrial-commercial assessment in this province and its division between separate and public systems. However, the minister is required in the House, but I certainly would love to see him for the first time at those public hearings, which will

continue throughout today and during this week and, hopefully, next week.

Mr Speaker, before you rise to advise the purpose of today's discussion is with Bill 66, the long-awaited teachers' pension act and the amendments to the Teachers' Superannuation Act, I would like to indicate my pleasure at being able to participate in this debate in anticipation of those public meetings.

I would like to say at the outset in debating this legislation that it would be easy to leave the level of discussion on that of numbers and technical points, but the issue that is facing all members of our House today with respect to Bill 66 is not one that can be buried in those numbers and placed out of sight by statistics for it is an issue that has to do with the fundamental principle of fairness—fairness towards the teachers and the teaching profession in our province.

The way in which this government has dealt with our teachers in the past and the way in which it is dealing with them at this very moment is a source of grave concern for every person who holds dear the future of our public education system.

This government seems to have forgotten that excellence is a product of commitment of talent and labour and it is no less significant a lesson for those of us who serve in public life here as legislators with respect to our work but it seems to have escaped this government that it has forgotten as well that the high standards of excellence which characterize our educational system were also established that way and they continue to be maintained by our teachers and by their personal efforts and sacrifices as professionals and as members of our society.

What teachers expect from this government is to be treated as professionals, as contributing members of our society. Instead, this government does not consult with them on matters which impact on teacher professionalism, such as pensions, nor does it even address the human context in which the financial object involving teachers is embedded.

When I stood in the House recently to ask the Minister of Education about how he intends to deal with the impact of his new government's insurance plan and what effect that will have on benefits for teachers, he was flabbergasted. He seemed caught unawares of the significant impact that legislation was going to have on teachers and trustees and taxpayers.

I say to that minister that his demonstration of his lack of knowledge of such an important issue relating to our teachers is really part of the

witch's brew which he himself referred to that day in the Legislature that is the real issue which is stirring within the Ministry of Education over the support that he and his government have shown for the teaching profession.

The message he is sending to the teachers of this province is one which has serious repercussions not only for the future of our educational system in Ontario but also for the future of the teaching profession. If this government had listened to the concerns of teachers or had taken responsive note of the particular problems that our teachers deal with on a daily basis in the classrooms, then it would know that teachers often find themselves between a rock and a hard place when it comes to fulfilling their mandate as educators.

One major reason for this is that teachers find that societal expectations upon them are very great, that governments, parents, the media, the workforce and students each have their own perception of what teachers are and what they are to have accomplished on our behalf in our schools.

Many teachers feel that the general perception of them is being all things to all people. Some parents expect them to step in as a role model to fill in what is missing in their own home lives. Students want, in some instances, instructors who meet their own exacting demands with respect to their perception of a with-it or an entertaining teacher.

We indeed expect a great deal from the teachers, as we expect that they will always be there to bail us out whenever problems develop in the way in which our young people and our children are socialized in our schools. We must come to realize the tremendous strain which these expectations place teachers under as we must ourselves learn to appreciate what it costs in personal terms for many teachers who rise well above and beyond the call of duty to reach out to our young people and to make a difference in their developing lives. Only with such an informed perception of the teachers' perspective may we even begin to consider what we really, truly owe them in society. When it comes to pensions, I believe this government at least owes teachers the same fair treatment that it extends to others in society.

If this government will take a hard and a punitive stance with this sector of society, then that same Liberal government is capable of taking a hard and punitive stance with Ontario seniors and their benefits, with individuals on family benefits and their pensions and their

assistance, or with the disabled. I see limited difference in the way this government would exercise power when it comes to various sectors in society.

Rather, this government should exercise every initiative at this point to assure the teachers in our classroom that their work is valued and that their personal efforts on behalf of students is appreciated and acknowledged. We must remember there are almost two million children being taught by almost 100,000 teachers in classrooms in elementary and secondary schools all across Ontario as we speak today, but nothing this government has done since it took office with respect our teachers would indicate that it shares the sentiments or that it respects their critical role in our society.

The pensions legislation that is before us is just one more instance of this government's unwillingness to exercise fairness towards the teachers and to treat them as the committed professionals they are in empowering them to decide, as partners with the government, the direction and the fate of their own pension funds. As it has done with so many professionals before them, this government has instead chosen to achieve a legislated resolution to this issue so as to circumvent its responsibility to let the teachers have a meaningful input into the decision-making process touching their own pensions.

Yet the empowering of teaching professionals in this way would effectively strengthen not only the profession as a whole but also would send a much-needed message of support to the individual teachers in the classrooms across this province. It is clear that with the largest majority in Ontario's modern history, the Liberals will use their power to impose their definition of a new relationship with the teachers in Ontario. It comes as no surprise to find that this government tends to view groups such as teachers in the abstract. The Treasurer on occasion has called them overpaid; the Premier has referred to them as complainers, and the government invites confrontation and not co-operation, consultation and respect which alone are the true hallmarks of any good government.

This government cannot see the real face of education. If it did, it would see a teacher of the calibre of Arthur Christmas from the city of Sarnia. Art is the head of the music department at St Clair Secondary School, where he continues to demonstrate a continued commitment to educational excellence in that after six years of untiring effort he has expanded his program to include 17 classes with 400 students, three concert bands,

three stage bands, a brass choir and concert jazz and show choirs.

He has accomplished all of this as a teacher, but in addition to the considerable demands of his time, Art teaches his students the value of community involvement and community service, and he teaches this by example. Art is director of his own community singing group, a group that has raised and donated more than \$100,000 to everything from raising roofs on churches to tornado relief funds.

Art is also intensely involved in other community groups and gives free assistance advice to theatrical and music groups—all this while Arthur Christmas battles the disease of cancer on a daily basis. This is what being a teacher means to Art Christmas and this is what it means to many like him across our province. This is what taxpayers in Sarnia see in the teaching profession, people who are entrusted to inspire the children.

1620

It begs an important question. What is it about our teachers and about teachers such as Art that would want to make this government distrust them in the way it has with this legislation? Why does it refuse to deal fairly with them as partners in a decision-making process that is not only related to how this government thinks about the teachers, but more importantly is also related to how teachers think about themselves as committed professionals dedicated to affirming our most fundamental human values as learned by children in our schools?

I say to this government that by treating teachers fairly on the issue of their pensions, as well as on others, it is in effect undermining one of the most important agencies of social cohesiveness and equilibrium that we have at our disposal. If this government is blind to the committed work of teachers like Art Christmas, then it should at least open its eyes with respect to the ongoing need Ontario has for the personal examples of community leadership which our teachers provide to our younger generation.

If this government wants to effect meaningful social change, as it has said it does on so many occasions, then surely it must realize that such change can mainly be brought about through working with teachers and all that their professionalism and human example embodies. For whatever reason, this government stands now ready to make major, and in some ways adverse, amendments to the teachers' pension act.

On Thursday 19 January 1989, the Treasurer delivered his statement in the House in an attempt to begin to deal with the burgeoning problems

with inflation protection benefits in public sector pensions. Inflation protection to both public servants and teachers was enshrined by the two superannuation adjustment funds which were established in 1975 but were based on matching contributions by government and employees based on one per cent of pay plus interest earned.

The problem which had arisen is one of imbalance in terms of the increase in the number of retirees relative to the number of contributors to the adjustment funds. This imbalance will, according to both the Rowan and the Coward pension reports, impact unfairly on future taxpayers and on plan members who will have to pay more out of their own earnings to secure full indexation of their benefits.

Bill 66 is the Treasurer's attempt to solve this problem. In accordance with the Rowan and Coward reports the Treasurer determined to merge both plans to provide one fund for teachers, with the government continuing to act as sole sponsors and guarantors of the fund. Again in accordance with the reports, the pension fund will be invested in marketable securities while full 100 per cent inflation protection will continue together with existing levels of benefit. The Treasurer also stated that teachers as well as public servants would be asked to contribute an additional one per cent of their pay to sustain the funding for future benefits.

Thus far the Treasurer maintained an objective administrative façade in trying to demonstrate how seriously he took the informed conclusions of experts in dealing with the teachers' pension plan. In fact, the Treasurer's actions with respect to the pension plan appear almost mechanical, almost a knee-jerk. His initiatives in the areas of pension reform, he says, follow upon the recommendations of the reports his own ministry commissioned to investigate the existing state of affairs.

Yet one very important aspect of pension reform, the validity of which can also be established by invoking the conclusions of those pension reports, was left out of the Treasurer's grand pension design. That aspect has to do with the question of the empowerment of the teachers as partners—which they are by virtue of the fact that half of the fund is their money contributed by them—in determining the course of direction for all future pension planning.

The Treasurer makes much of his stated intention to follow the recommendations of the pension reports, but how has he handled negotiations with teachers on this fundamental point of teacher participation and empowerment? One of

Dr Slater's key proposals was that teachers and public servants should become full partners and joint trustees with the government in administering the plans and sharing future risks and rewards. Having followed the good advice of his consultants to the letter, the Treasurer then suddenly chose to take a different course of action when it came to this matter. In the Treasurer's own words, he stated he felt that whole partnership in the conduct of our pension agreements is not possible at this time, at which point negotiations between the Treasurer and the teachers broke off.

I firmly believe that the Treasurer has a direct responsibility to take into account all of the recommendations of the pension reports that were commissioned to examine the current financial and administrative status of teachers' pensions, including the recommendations for full participation in the decision-making processes by the teachers. Clearly, the Treasurer has failed to ensure that his Premier's stated open-government policy is extended to our teachers and has instead opted for that course of action which is all too characteristic of this government, that of unilateral action without the effective participation in the political decision-making processes by those who are impacted most by those government decisions.

Nevertheless, the Treasurer appears to have found a way out with his elusive promises to establish limited partnerships with the teachers. For this Treasurer, full partnership is to be equated with the teachers' request for binding arbitration, which the Treasurer has rejected.

But let us examine for a moment the relationship between the idea of full partnership and that of binding arbitration in proper context. I would like to say at the outset that I reject what is perceived to be the equation of the Treasurer's for full partnership with binding arbitration, as if the former necessarily includes the latter. Furthermore, it is an equation which was first arrived at by the Treasurer and not with the teachers. What is critical to consider here is that a difference between the two ideas can be demonstrated and once that is achieved it can be shown that the rejection of full partnership by the Treasurer is a clear administrative flaw in his pension reform scheme, as it is in my view an indication of what can be called a lack of democratic nerve. That lack of democratic nerve is with regard to the empowerment of teachers with respect to their own pension matters.

Binding arbitration involves the introduction of a third, neutral, party in negotiations between

two others. In this case, the two parties are the teachers and the government and the third party's decision on specific positions taken during negotiations are to be accepted by the former. This means that a government decision could be overridden should a gridlock occur in negotiations with teachers. This also means that the very role of government is substantially altered in the process. If the role of government is that of objective arbiter which is open to the views of citizens and allows those views to inform its administrative decisions and otherwise exercises a unifying influence on society, then clearly the rationale for binding arbitration is absent, nor is there a need for it, under those circumstances and under that definition I have set out.

If, however, the government assumes a posture of conflict and unilateral action with respect to citizens and sectors in society, neither paying heed to democratically voiced concerns nor empowering them by allowing their legitimate views to guide the course of policy initiatives, then under that altered role definition it is small wonder that binding arbitration is invoked by citizens as the final way in which the democratic process may be ensured for everyone. In short, this government refused to listen to good advice and counsel from the Coward, Rowan and Slater reports. Therefore, it has shown its unwillingness to listen to pensioners and to their rights in this province.

This Liberal government has established quite a record of administration by conflict in this province. Rather than exercise its mandate to unify society, this government has consistently collided with diverse groups, especially professionals, by acting unilaterally and without paying heed to the input which these groups put forth on their own behalf once they saw that this government's interests were opposed and in conflict with their own.

Democracy is not just the ability to be heard and taken notice of; it implies something much more fundamental than just that. Democracy means that political power is acknowledged to reside in the citizens rather than in the government, and this Legislature is simply an expression of the power which our citizens have invested in us. Democracy cannot be effective when citizens perceive that they are without the effective means to exercise their power in the political arena; in fact, in this legislative arena.

1630

The model proposed by the Treasurer in Bill 66 is flawed. Full partnership is something this Treasurer must reconsider. The challenge before

him is to find or establish the necessary mechanisms whereby our teachers are given the democratic right to exercise an empowered responsibility over their own pensions—mechanisms, I add, which are recommended in his own consultants' reports and to which he has said, at least in principle, he is committed.

I recommend that this legislation be referred to committee to ensure that our teachers have as broad a range as possible to communicate their views in a democratic, open forum and to see them acted on by this government. Without that government responsiveness to the teachers' request for independence and without a flexible attitude on the part of the Liberal members of that committee, who control a simple majority during those public hearings, those public hearings quite frankly will be a sorry excuse for the unrealistic hope that this government is truly interested in listening.

Democracy is a lesson which must be continually relearned and relived if it is to continue as a meaningful political endeavour. In its negotiations with our teachers on Bill 66, it is hoped that this government learns the true meaning of that lesson once and for all.

Mr McLean: I would like to comment briefly on the statement given by my colleague the

of issues which I agree with totally. It brought to the forefront the background of the superannuation problem that they are having with the government, and I think the member gave a very excellent speech. I know it would do the minister well to listen, to observe and to put into place some of the comments he made.

Mr J. B. Nixon: I would just like to say that I have heard a lot of noble sentiments expressed, but the previous speakers really have not spoken to the fundamental problem this bill is intended to address, and that is a horrible deficit in a pension plan which is guaranteed by the government of Ontario. For the first time in the history of Ontario the government has taken the decision to fully fund that deficit and ensure that from now and for all time in the future the teachers' pensions will be guaranteed and put on a sound financial footing. That is the essential problem that the bill addresses. I commend the government of Ontario for having taken this serious important action.

Mr Neumann: Further to the comments of my colleague the member for York Mills, I would state as well that I think the speech of the honourable member would have been improved had he perhaps recognized the historical basis for

what led to the legislation. The problem before this government and before this province with respect to this issue is well known and well documented. It is one which the government could perhaps have ignored and put off for some years and left to a further generation of legislators in this assembly to deal with, but it has been faced head-on and a resolution has been found to the issue. I would think that the honourable member should recognize that the roots of this problem go back to the time when his party formed the government in this jurisdiction.

Mr J. M. Johnson: I would like to make a few comments in reference to the debate today. One person mentioned receiving many statements from teachers explaining their frustration at the process. Perhaps they do not understand it; if that is the case, then surely at committee level we will have an opportunity to explain what is happening. They have expressed their concerns that they are being levied with an extra one per cent. They do not feel it is necessary; they have a great deal of difficulty in accepting the fact that there is a deficit position and how it has come about. I really do not think that financial information is getting through to the teachers. It may be getting out to some part of the teachers' profession per se, but not to the individual teachers.

I think that we as legislators have a responsibility to make sure that the individual teachers are aware of what is happening. There is some information that is definitely needed for clarification. They have a problem in understanding what has happened in the past and how it relates to the future, whether they should be involved in a sharing program, if it will be better financially for them and also provide the security that they need. That too has to be explained so that it will not be something that is foisted upon them without their input and their knowledge.

They have expressed a lot of concerns, and there seems to be some gap in the information process. I am not sure what the problem is or how to address it, but there definitely is a need to do something about it. I would hope that this at least will come about in the hearing process.

Mr Jackson: I appreciate the opportunity to respond to all the very kind comments. I want to thank the member for Brampton for invoking the history of the pension reform in this province.

Mr Neumann: The member for Brampton isn't here.

Mr Jackson: There is no question that we appreciate he is dealing with the issue before we have to, as an opposition today, but as the government after the next election we might have

to deal with this. But we would have dealt with this issue in a different way, and I invite the member to the public hearings and the final debate in order to determine the difference between his government's approach and ours.

In fact, our party is very proud of the fact that in Ontario we were open and sensitive and listening to the need for superannuated teachers for additional protection, and therefore the legislation exists here, which cannot be said of all jurisdictions in this country. We did that, as the member knows, because it was not the Ontario Conservative government that was responsible for the wicked inflation that ravaged this nation in the early parts of this decade, but 19 years of Liberal excessive spending federally. We in Ontario had to deal with that. At least we could deal with it from a perspective of appreciating the importance of the teaching profession who work in this province. But I do appreciate the member invoking that point of historical reference for all in this House. We look forward to his further contributions on matters related to education with similar exactitude.

I would like to thank my colleagues the member for Wellington (Mr J. M. Johnson) and the member for Simcoe East (Mr McLean), who contribute quite frequently in caucus discussions with respect to public education and support for the teachers' profession. That is why I am not the least bit surprised that they were here to participate in the debate on this important issue.

Mr Neumann: On a point of privilege, Mr Speaker—

The Acting Speaker (Mr Cureatz): A point of privilege? The honourable member for Brantford indicated that it should have referred to the honourable member for Brantford, not Brampton.

Mr Neumann: I was going to bring that to your attention, Mr Speaker, but then I did not recognize myself in his response.

The Acting Speaker: Thank you.

1640

Mr Hampton: I am pleased to be able to participate in this debate because I consider it a very important one. Having been a teacher myself and having worked in two areas of the province as a teacher, I think I know from my own contributions to teachers' pension plans how large those contributions are and what effect they can have on someone's salary.

When I first began teaching, someone said to me, "Aren't you happy to be in an occupation that pays relatively well?" Then I got my first

paycheque and saw how much of it went into my teachers' pension plan and how little was left for me to pay my bills with. I soon realized that the teachers' superannuation fund takes a very large chunk out of each and every teacher's pocket. From what I can see and from the figures I have looked at, it has been a great benefit to the government and not necessarily a great benefit to the teachers who at some point receive the pension benefits.

I want to say as well that I am a little disappointed. This is particularly important legislation. It has an impact on the province and it has an impact on a number of people whom we rely upon in this province to give dedicated service. Yet I look and I see all of four government members in the Legislature, four of 94 in the Legislature, to take part in this debate. I think that represents exactly this government's attitude towards the teaching profession.

It has been nowhere better illustrated than the process that the government has followed in dealing with this legislation, because the government has basically said to teachers: "Look, we are in control here. No matter what the Slater report said, no matter what the Coward report said, we are in control here. We are a majority government, we are going to do it our way and you people can suffer." That is essentially what has happened here.

All we need to do is look at any publication from any teachers' organization to understand how upset the teaching profession is with this government's high-handedness and with its arrogance. Let me refer to Newstoday, a publication of the Ontario Public School Teachers' Federation, a federation to which I used to belong. Under the heading "President's Viewpoint," it states quite bluntly on the first page of the publication of 23 October 1989:

"On October 19, 1989, the Liberal government withdrew Bill 41, An Act to revise the Teachers' Superannuation Act. Minister of Education, Sean Conway, then reintroduced pension legislation (now titled Bill 66) to allow for a number of technical modifications. The substance of the bill remains unchanged. It has been suggested that the restrictive text of the legislation compares to the War Measures Act and the authority conveyed to cabinet is similar to how the Family Compact operated in Upper Canada in the early 1800s. Even if these analogies are slight exaggerations, the bottom line is: the legislation is regressive and unacceptable."

OPSTF is not the only federation that has been trying to give the government a message on this

legislation. Virtually every teachers' federation in the province and individual teachers themselves have written to the Premier, to the Minister of Education and likely to every member of this Legislature, but certainly to every government member of this Legislature, to impress upon the government how high-handed, I repeat, and how arrogant they are behaving in all of this.

What exactly do the teachers object to? I hear government members give their short speeches and say, "The government is acting on behalf of fiscal responsibility, and teachers are being unreasonable and teachers are being self-serving." Let us look at what teachers are objecting to, and let us consider who is being reasonable here; very succinctly, what it is that annoys them.

First of all, the legislation has no provision for a binding dispute resolution mechanism. In this context, what we mean by a binding dispute resolution is that you have one party to the pension plan, the provincial government, and you have another party to the pension plan, the teachers. Teachers contribute a very large chunk of money to this pension plan, money out of their pockets.

Any arbitrator I have talked to lately, or any arbitration report I have read lately, has simply said that teachers' contributions to pension plans are just that, teachers' contributions, and employer contributions are essentially in lieu of wages; in other words, they are wages forgone. An employee forgoes wages today in order to get a decent contribution from the employer to his pension plan for tomorrow. This is not a radical idea. As I say, it has been mentioned by arbitrators.

If the members go back to that wonderful Liberal creation called the Anti-Inflation Board, they will see that some of that board's decisions looked specifically at pensions and said, "Yes, pensions are wages forgone." The Anti-Inflation Review Board actually looked at wages forgone and included them in percentage increase calculations of salaries when the Anti-Inflation Board was controlling salaries. I say they controlled salaries because they did not do a very good job of controlling prices. In fact, I do not think they every tried. That was another marvellous Liberal creation, only at another level of government.

In this case there is no provision for a binding dispute resolution mechanism. In other words, if the teachers and the government have a disagreement over the pension plan, will there be a neutral third party who can be asked to render an

opinion as to what is reasonable in the circumstances? No, there will not be a neutral third party. The government will decide who is reasonable and who is unreasonable. How ludicrous. One of the parties to the agreement will tell the other party to the agreement when someone is being unreasonable, when someone is not acting properly, when someone is demanding too much or when investments are being made in the way that the legislation calls for. There is unilateral control; the government will decide, and teachers can like it or lump it.

Is that a reasonable position, that there should be no neutral third party to decide on these things? Is that a reasonable position in a democratic and civilized society? Any political scientist I have looked at lately would say it is not. Any jurist I have read lately would say it is not. Yet this government insists it is the teachers who are being unreasonable.

The teachers also note that this legislation will give control of present and future surpluses in the plan to the government. In other words, if the contributions from teachers and government are put into the plan, and over a period of time investments turn out to be lucrative and a surplus results, or if a number of teachers leave the pension plan such that a surplus results, then the surplus, under this legislation, will accrue entirely to the government.

Since arbitrators will say that pension contributions are wages forgone, is this confiscation by the government of pension funds a reasonable thing in a civilized and democratic society? I do not have to answer that question. The courts have already answered it for us.

There is a gentleman, Conrad Black, who decided a few years ago that he would unilaterally exercise control over his employees' pension plan. He was going to be very coy about it. First of all, he would declare all of his employees surplus, close the stores, and then take \$68 million out of the pension plan. That was his idea of fairness. Our courts, thank God, took a very careful look at the legislation and said: "This cannot be. This cannot be allowed. This is a trust fund. We will not allow Mr Black to do this."

Most recently, an Ontario court has had the opportunity to look at the Ontario Hydro employees' pension plan and has held essentially the same thing. It has said that, looking at pension schemes in a fair and reasonable way, the surplus cannot accrue entirely to the employer; it is the employees' funds.

That is what the courts are saying. Has this government listened to the courts? No, this government is going to use its power as a majority government to ignore what Ontario courts have been saying about fair pension schemes, and it is going to bring in this legislation which will cause any surplus in the pension plan to go to the government. In other words, this government will not even listen to what our courts are saying today about what ought to happen with pension funds and who pension surpluses ought to accrue to.

Not only is it saying to teachers, "We don't care what you have to say," it is also saying to Ontario courts: "We don't care what you have to say. We are a majority. We'll do it our way and the rest of you can like it or lump it."

I say, "Shame on this government," because in the position it attempts to portray itself, that of being reasonable, and in the position it attempts to paint the teachers, that of being unreasonable, of acting in their own self-interest, it cannot also ignore what Ontario courts have said to it, and Ontario courts are saying that it is this government that is being unreasonable. It is this government that is being greedy and self-serving.

The third aspect that teachers object to, very strenuously, is that part and parcel of this pension legislation is a restriction on what pensioned teachers may do in the way of working as occasional teachers in the future. I want to ask again, who is being unreasonable here? I also want to ask, how far-sighted is this government being?

All across this province, we cannot find trained and certified teachers to work as supply teachers. I happen to come from a northern Ontario constituency. I know, as a fact, that it is very difficult from time to time to find trained and certified teachers to work as supply teachers in many communities across northern Ontario. It is very difficult indeed.

Where do boards of education frequently find teachers to work as occasional teachers? They find them among teachers who have retired. Retired teachers form the greatest pool of talent for boards of education in northern Ontario who want a steady supply and a supply of occasional teachers that you can count on. What is this bill going to do to those boards and what is it going to do to those teachers in northern Ontario, those retired teachers who want to continue to contribute to the cause of education? It is going to say: "No, you are limited. You are shut down."

Let me point out exactly what the limitation is. The government will say, "Well, you are allowed three years after you have retired and you are allowed up to 95 days." The key words are "up to," because if, in your first year as a retired teacher, you work for two days as an occasional teacher, then that year is wiped out. It is not a total of 95 days times three and you can use them until they are all used up.

If, in your first year, you work two days as an occasional teacher, then that is it. The 95 are gone for that year. If, in the next year, you teach for one day as an occasional teacher, then that year is wiped out. If, in your third year, you work three days as an occasional teacher, that year is wiped out. Who is being unreasonable here? I say it is the government that is being unreasonable, and I think it is quite clear to what extent it is being unreasonable.

One of the other points that teachers are quite upset about is that this legislation increases contribution rates by one per cent per year, and that translates to a \$500 increase on a \$50,000 salary. If you are a beginning teacher, it does not take long for you to contribute a very large chunk of your money into this pension plan.

The government says, "We need this very high rate of contribution in order to make this fund work." I want to point out that there are several other pension plans in this province, many of which are indexed, which do not rely upon and do not require such a very high rate of contribution from employees in order to make the plan work. I would refer members to some of the pension plans that are in the private sector; for instance, the auto workers' pension. I would refer members to the hospital employees' pension plan. I would refer them to those pension plans and ask them to consider the comparative benefits of the different plans. Fortunately, we have some outside expertise in this area.

The Slater report has reviewed this situation, the Coward report has reviewed this situation, and they have concluded, not to anyone's surprise, that the reason why such large teacher contributions to this pension plan are required by this government is to make up for what has not happened in the past; to make up for government investments of this fund which did not yield a high rate of return; to make up for the uses of this pension fund which may have helped the government of the day a great deal in terms of providing it with a cheap source of capital but did nothing, or did very little, for the teachers' pension fund in terms of its return on investment.

That is the reason why such a very high rate of contributions will now be required.

There is another reason, however, and it goes back to who will have control over future surpluses in the plan. One of the things which the Ontario Teachers' Federation did was to sit down and do some actuarial estimates of rates of return on the teachers' superannuation fund. Members can see, with the kind of contribution rate that is being calculated here, that we could actually have a very low real rate of return of about three and a half per cent per year on investments, yet the fund that has been created would still be a viable fund. If members get any better rates of return, 3.75 per cent or four per cent, a surplus is created. Lo and behold, who gets the surplus? Do the teachers get the surplus? No, the surplus goes to the government.

I think it is pretty evident here again that this government is not thinking about the plan. It is not thinking about this plan which is called the teachers' superannuation fund and it is not thinking about pension benefits. It is thinking about pools of capital, potentially, possibly, maybe down the road, for it to tap. After all, we should not be surprised at this. This is the government that taxes tires. This is the government that taxes lots for new housing. This is a government that has pushed up sales taxes as they have never been pushed up before.

Mr Ballinger: For what? Where does the money go?

Mr Hampton: This is a government that has cut grants in funding to municipalities and boards of education in order that it may keep more of the money, so we should not be surprised at all that the government is acting in the same way with respect to the teachers' superannuation fund. If anyone stands in a position to derive a benefit down the road from this fund and if anyone stands to derive a pool of capital, this government does. It is this government that is looking after its own self-interest in requiring the contribution rate to be as high as it is.

1700

I note that the member for Durham-York (Mr Ballinger) is shaking his head and he interjects every once in a while, as he is wont to do, and he says, "What is the government using this money for?" I want to put on the record just this: Just the other day, the government House leader tabled with the opposition House leaders his plan for wage increases and benefit increases for the members of the Legislature.

Lo and behold, one of the things which appears in this government's plan is that there are

going to be a bunch more sinecure positions created for Liberal backbenchers so that they can all elevate their salaries even more at the expense of the public purse. If that plan goes through, more and more Liberal backbenchers will feed ever more than ever before from the public purse.

So I say to the member for Durham-York if he wants to know, if he wants an illustration of what this government is doing with some of its money, it is creating sinecure positions so that people like the member from Durham-York can have an extraordinary wage increase this year. That is what this government has been doing.

Hon Mr Bradley: Oh, I'd be careful on that one. Wait till everybody finds out what your leader wants for his pay increase.

Mr Hampton: It is nice to see the Minister of the Environment, even though he is not in his seat and wants to enter into this debate as well.

I only want to say that if we are going to debate wage increases for people in this place, what we ought to do is turn it over to a commission that would make some sound, reasonable and rational recommendations, rather than let this government decide how much its members are going to fill their own pockets. That is the rational way to do it. That is the way it ought to be done, but again, this government will not do that.

The final objection that teachers have to what is going on with this pension fund is quite simply that it provides no substantial improvements in benefits. Can members believe that? This legislation is going to take away. It is going to give government unilateral control. It is going to give the government present and future surpluses in the plan. It is going to restrict what retired teachers can do in terms of returning to the occasional teacher market to supplement their incomes if they need to or want to. It is going to increase rates by another one per cent a year so that teachers will be among the highest, if not the highest, pension contributors in the province. After all that, it is not going to provide any substantial improvements in benefits. No substantial improvements in benefits: That is the bottom line.

I ask members, when they review all of this, who is being unreasonable here? Who is being just a mite arrogant here? Who is telling everyone else, "We're going to do it our way, and you guys can lump it." It is pretty clear who is being unreasonable. It is pretty clear who is being self-serving. It is pretty clear who is looking out for their own interest and no one else's. It is this government.

We should not be surprised at that. That has been the history around here for two years. We look at the government's latest auto insurance scheme. It is not a scheme to deal with consumers in this province. It is not a scheme looking to the consumer interest. It looks only to the government's political interest. It looks only to the government's political survival. They are going to paper up something that is supposed to be an auto insurance plan, which is, in fact, nothing but a self-serving scheme for the auto insurance industry. But if they sell it quickly enough and dress it up with enough language, they think it will get by people. That is exactly what they are doing with this pension legislation.

The government thinks that it can isolate teachers, that if it pumps out the propaganda long enough and hard enough, it can paint teachers as being greedy and self-serving, and that is what it is going to do.

The government, because of its large majority, may be able to do that, but there are many of us here who intend to stay here for a long time, if we have to, to fight this legislation, and there are a number of us here who are going to raise every one of these embarrassing points, every one of the self-serving points that this government has engaged in time and time again when committee hearings start. Hopefully, if the media pays some attention, the people of Ontario will get a full picture of what is happening.

I could also say to the government that from teachers I have spoken to, I know they will engage in very deliberate and concerted activity to let this government know that they do not like what is happening.

I want to return again to the Ontario Public School Teachers' Federation's Newstoday newsletter to quote again from the OPSTF president who, in summarizing the teachers' position, says this:

"Every teacher in Ontario has a responsibility to assist in achieving a fair pension. Your efforts are required and appreciated.

"If amendments to the legislation do not occur, you may be called upon for further and stronger protest action."

I would say to the government that if it continues on the road that it is going down now, it will force teachers unwillingly—they do not want to do it—out of the schools and on to the picket line. If that happens, it will be very clear who is responsible. It will be very clear who has been acting in a self-serving and arrogant way: this government.

I say, as a former teacher and also as a legislator who has looked at what is happening here very carefully, that the government is totally on the wrong track. If this government had any sense of reasonableness, it would return to the bargaining table and work out on a mutual consent basis a pension plan that makes sense for everyone concerned and not just for this government's political position.

I could go on at length on a number of points on this legislation, but there are a number of other speakers who want to get involved so I will stop now. I say again, however, to the government that it is not too late to go back to the drawing board. They would win a lot of credit if they went back to the drawing board. They should do it now before it is too late.

Mr J. B. Nixon: I would just like to remind the member for Rainy River that the pension plan in question is indeed the richest pension plan not just in the province of Ontario, not just in the country of Canada, but also, as far as I know, in the entire western world. There is none better. If you have that good a pension plan, you have to pay for it. It is as simple as that. There is an accumulated deficit. The government is funding entirely that accumulated deficit. There is an ongoing requirement to finance the superannuation fund and that is what the government is committed to doing in partnership with the teachers.

Mr Hampton: I suggest that the member take a careful look at the legislation, take a careful look at the two pension plans that are in fact being dealt with here. If he did, he would find that, yes indeed, the teachers' superannuation fund is a fund which has a large surplus in it now. I would remind him, however, that arbitrators have said that the funds in that plan, in pension plans, belong to employees. Employees contribute very healthy sums and have for some time into this plan. In their bargaining process, they have forgone wage increases in the past in order that they could get decent contributions from the government to the plan.

It is true it is a good plan. We would very much like to see plans like that for everyone. We think it would create a more egalitarian society. I say again to the member that those funds were contributed responsibly and that is why there is a surplus. Now in the adjustment fund there is indeed at this time an unfunded liability, but I would refer the member again to the Slater and Coward reports. He would see whose responsibility it is and he would see why that unfunded liability is there.

1710

Teachers have paid handily for the surplus of funds and for the wealth that is in the teachers' superannuation fund. I would say to the member that he should maybe work for a couple of years as a teacher and he would understand to what degree his monthly paycheque is, shall we say, cut down due to the significant funds that have to be contributed to the superannuation fund. But I respect the member for pushing the government line again. He is indeed earning some brownie points for the minister on this one.

Miss Martel: I do not intend to speak very long. I am pleased to participate in this debate at this late hour in the day. I do not intend to talk about all the problems with this bill in particular, that is, Bill 66. However, there is one issue that I want to focus on and I will be brief in doing that because my other colleagues also want to have a say here today on this very important issue.

I do not come to this bill with a background of having been in the educational field. Some might say that I came out of education just a little bit before I got here and that would be true. Not long after I graduated I did come to this place. But let me put it in this perspective. I do have both parents—one who continues to teach at this point in time and one who was a teacher for many years and was in fact a principal at our elementary school. I have never considered that either of them, when it came to educational issues, was particularly unreasonable.

There would be many who would say my father was unreasonable in all kinds of other issues and other matters, but when it came to dealing with education, when it came to teachers' rights, benefits and pensions and on and on, I do not think that he was unreasonable. I do not think that mother, who continues to teach at this time, is unreasonable when she comes and looks at this bill and says as a teacher: "We cannot accept that. We cannot accept this for particular reasons."

But the issue I want to focus on is surely that of the reluctance of this government to negotiate when it comes to the question of teachers' pensions. Teachers in the province of Ontario do have some rights. We are not saying that they do not. We are saying quite clearly that they are able to participate with their local school boards on a number of issues. They negotiate their salaries, for example. They would begin negotiating, for example, working conditions within their boards and within their local areas and they have the ability as well to negotiate other benefits. So we have not said at any point in time that they do not participate in some way, shape or form. But the

question I want to look at is really the last of the rights to negotiate, when it comes to pensions and pension rights.

I am not a negotiator, but I do think that if you take a step back, as all of the good members of this House do from time to time, and take a look at the private sector, for example, you would say, even in some of the worst working conditions in the private sector, that management and labour do come together to negotiate. Even in some of the worst cases that are raised in this House about breakdowns and negotiations in the private sector, the fact of the matter is that unions or their representatives have the ability to have some kind of input and some kind of stake into the particular plan they are developing for their employers and into the particular negotiated settlement that both parties are going to be bound to in the future.

So I cannot understand for the life of me, when we remove ourselves from the public sector and start talking about the private, why this government, or indeed any government, would not want to be on the leading edge of involving its employees in those same types of discussions. I do not think it is too much to ask. I do not find teachers are unreasonable when they make that request, in fact make that demand, that they should have some kind of participation in negotiating what their pension plans are going to be.

That is not unreasonable. That is a basic right, I suggest to you, Mr Speaker. If it is good enough for those people who work in the private sector, surely to God this government, which goes about legislating rules on behalf of the citizens of this province, would want in fact to involve its employees in those types of negotiations. Surely the government of the day recognizes as well as we do, that is, members on this side of the House, that teachers are reasonable and the request for participation and adequate input is certainly not unreasonable by any stretch of the imagination.

Let me just take a look at what teachers are asking for in terms of this particular question, and I think it is fairly adequate. They are asking for four things at the very minimum and those four things are:

First, that they are involved in establishing administrative policies for the pension plan;

Second, that they should be able to come to the negotiating table and they should be able to determine with the employer the level of benefits to the plan's beneficiaries;

Third, that they should expect and they should be entitled to expect that they would come as

equal partners to the table and talk about setting contribution levels;

Fourth, that they should be able to come to the table and receive all of the information from the actuaries as to what is in the plan, what the future prospects for the plan are and how much will have to be paid in to contribute at a level that would be sufficient over the long haul for all teachers involved. They should be able to receive that information and certainly to participate in establishing some of the assumptions around those actuarial figures.

I do not think that is a great deal to ask. That is a basic minimum, I think. If I was a teacher out there wanting to participate in a pension plan that was going to dramatically affect the way I live when I retire from teaching, I do not think that is too much to ask. I cannot for the life of me figure why the government thinks it is.

What do the teachers get, though? I have said that those are the basic rights that they are asking for, the basic requests they are making around negotiation of pension plans. But what do they actually get in Bill 66? I suggest they do not even get those basic requirements, those minimum requirements which I would expect all people who negotiate would want to come to the table with and expect to negotiate with the employer.

If you go through and you read the language of the bill, they get very much the government control plan which was and is one that they remain strongly opposed to because that reflects unilateral government control of the plan, with no participation, no input of employees, teachers in this case. While the government talks a good line about how it has provided at least two other alternatives within the plan, when you read the language of the bill and what the intention is and what rights the government has, you find out quite quickly that the two alternatives the government likes to talk about really in fact are nonexistent.

The other options, as they are presented in the bill, are very vague, they are very confusing, and perhaps they were written in that particular way to do just that. In fact they do not provide even the minimum types of requests that teachers are entitled to and that teachers have a right to talk about and teachers have a right to expect when they come to bargain at the table.

At the same time, it is interesting that while this government does not even provide those basic minimum requirements, it turns around and still asks that teachers pay one per cent more of their salary into the superannuation fund. If I am getting no change in benefits and as a teacher I

have no right to participate in negotiation of that plan, why the heck would I ever want to participate any further with this government? Why would I accept this kind of a plan which does not involve my participation as a teacher in terms of that very important question of pension rights?

If this government wonders why the teachers are angry and the teachers are not accepting Bill 66, I think it only has to look at that one issue and the fact that it giving people absolutely no input into the structure of their pension plan and what it will look like and what benefits will be derived and how the money will be invested; it is not giving them any of that type of control and it is telling them that, "We're still going to go ahead and we're going to take another one per cent of your salary to pay into the superannuation fund."

1720

The bottom line has to be that if this government is going to start to address the concerns that are out there, promoted by teachers, it really has to take a step back. It cannot expect that people are going to want to participate in or accept this type of bill when they have no input themselves. There is no mechanism for participation and indeed the options that are supposedly incorporated into this bill are so vague and so confusing that I do not think anyone, at least not on this side of the House, believes the government is really serious when it talks about other options, other alternatives that might be available besides government control.

I say to the minister that he should take a serious look at this again, that it is a problem that is not going to go away, that teachers are not going to accept that they have no ability, no mechanism, no right to participate in what should be a fundamental right; that is, the determination of their pension plan. I think he should go away and take a serious look and make a major revision in this particular area. Until he does that, he certainly is not going to get the support of this party on this piece of legislation, but neither will he have the support of teachers across the province.

Mrs E. J. Smith: I have to comment just briefly on a couple of the points that were made, the first one being the lack of control. The government consistently points out that it is willing to go to one of the other models, which will give them complete control if they want it, but also the complete responsibility. It is very clear that if that is done, new conditions and terms will have to be written up and the

government remains open at all times to address this.

That is why the government has put forward a bill that points out those options. They are there to be negotiated at any time. As soon as the teachers wish to return and discuss those, they can be put forward in a new bill or an amendment to this bill, which gives full control to the teachers if they want it.

The question was raised, why would they want to pay one per cent with no change in benefits and no change in terms? The answer is simple. The plan got billions of dollars in the hole. It has been bailed out by the taxpayers once. They cannot expect that again. The whole bill is there to correct the situation that caused this deficit. Something has to be done to do so. There is no reason some people as well paid as teachers should expect to be bailed out of a pension fund that is actuarially unsound and puts this province into debt.

The government also, I would point out, comes up with one per cent as the teachers come up with one per cent. We meet their obligation of one per cent with our own as the employer. We simply are determined to have a fund that breaks even actuarially.

Miss Martel: Two things, if I might: I appreciate the member's comment that in fact the bill provides for other alternatives, at least two other alternatives, one concerning equal partnership and the second concerning teacher control. I go back to the language of the bill, which in my humble opinion does not point to either of those two options. If we go through the language and the write-up in the bill, any of the controls, the rights, the responsibilities that the government has really lean towards the fact that there is only one alternative and that the government is not very serious about providing a second or a third alternative. In fact, the language that surrounds those other two alternatives is so vague and so confusing they do not warrant examination or acceptance by this House because they are not clearly stated.

I do not think there is any teacher out there who, if you asked him about the other two plans, would want to jump in feet first and accept the government's proposal under Bill 66, because they do not believe, as we do not believe, that the government is quite serious. If the government were serious, it would have clearly outlined and distinguished what the alternatives were, what the rights of the teachers were going to be, what the rights of the government were going to be, how they were going to participate around the

whole question of pensions and other issues. I do not think it is found in the bill and that is why I say quite clearly it seems to me that the only alternative from the government's point of view is that of government control.

In terms of the increase in salary and the member's statement about having to bail the teachers out, I assume what she is—

Mrs E. J. Smith: Bail out the fund.

Miss Martel: Oh, bail out the fund. I did not know the teachers were responsible all by themselves for putting into that kind of deficit, if that is indeed what the member is saying. I would have to say that there is a whole history of mismanagement around some of the moneys in this fund that perhaps other members better educated in this than I will want to talk about. I cannot expect that any teacher who has contributed now finds himself being bailed out, with no more rights than before, and would want to participate. I do not think that is an unreasonable suggestion from their part.

Mr Charlton: It is a great pleasure to join in this debate on Bill 66. I think my colleagues have adequately covered a number of aspects of the bill, but there are two aspects that were just addressed very briefly that I would like to address. The first is this question of equal partnership and the second is the question of actuarially sound.

First of all, the government a number of times, through the Treasurer and through the Minister of Education, have thrown out the challenge to the civil servants and teachers of this province about equal partnership. Some of my colleagues have raised that question and described how the question of equal partnership is dealt with in Bill 66.

I think, though, for the purposes of the public of this province we need to put that into terms they understand organizationally in the organizations in which they deal. For example, it has been said that Bill 66 and the bill to amend the public service superannuation fund ask for joint or equal partnership control, but retain unto the government the control of questions such as the contribution rate, the actuarial numbers that are used, the economic numbers that are used in the calculations, and ultimately the board, the appointments to the board, and the investment policies therefore that will flow from that pension board.

That is like this Liberal government, inviting an organization to affiliate with the Liberal Party in an equal partnership where the Liberals say, "We will give you an equal partnership in this

party so long as we can retain control of the chair, so long as the chair will continue always to have absolute control over the agenda and so long as the chair will also have absolute authority over determining what is in order under the agenda."

Is that in any way, shape or form an equal partnership? That is the kind of equal partnership this government has offered to the public service of Ontario and to the teachers of Ontario. There is no partnership at all unless the teachers and the public servants in this province have an equal voice on all the questions that affect the pension fund, right up to and including the board, an equal voice on the pension board and an equal say in the way that money is ultimately invested.

We have had three consultants' studies now, laying out for this Legislature and for this government what the problems in the fund are. Mismanagement of the investments by the government: That is what the Slater commission said. They should sit down and read them. I am not going to read them into the record again. My colleague did that earlier this afternoon. All three of those reports clearly set out the problems with investment in the past.

This afternoon we have government members standing in this House and suggesting that not only is the problem because of underfunding in the past as opposed to investment in the past, but also suggesting that to be actuarially sound in the future the one per cent increase has to go through.

We presently have the public service superannuation fund amendment before the standing committee on general government. Last Thursday, we heard testimony from a couple of expert witnesses. I think their testimony, because they both happen to be actuaries active in the profession in this country, might be of interest. Their comments on the PSSF bill are directly applicable to Bill 66 as well.

1730

One of the actuaries who gave us written testimony last Thursday is Peter C. Hirst. Mr Hirst is president of the Canadian Institute of Actuaries. He is also on the national executive of the Canadian Pension Conference. Interestingly, in 1986 Mr Hirst was appointed by this government to the Public Sector Pensions Advisory Board.

This gentleman was before our committee last week giving testimony against the government. What is that saying? The lawyer who is his own counsel is a fool and the doctor who acts as his own physician is a fool. What then do you say about the minister who has no expertise in the particular area whatsoever, who ignores the

advice of the expert he has appointed to advise him and imposes his own advice above that of the expert? That minister is also a fool.

Throughout the comments by these actuaries last Thursday, having reviewed the legislation both before that committee and before this House, what we find are comments that basically debunk in total this government's position about actuarially sound—

Oh yes, they do. The member can sit there and shake his head.

I will not have time to go through all this but I think a couple of good examples would be helpful. On the public service superannuation fund, we learned that in actuarial terms the government chose to use in its valuation what they call the entry age normal or the level annual premium method valuation instead of following the more common practice. The more common practice across Ontario and throughout Canada is a method that is called the unit credit method. The unit credit method is the method that is used in some 90 or 95 per cent of the pension plans in Ontario and in Canadian society.

This government chooses the actuarial method that is least used. It is an accepted actuarial method, but it is the least used and when you use it, it makes it impossible to take the pension plan that is based on these assumptions and compare it directly to one that is based on another set of assumptions. In other words, it makes things easier to confuse, easier to hide and easier to deflect criticism around.

It sounds like a perfectly natural thing for a government that is in a mess, a government that has created by its own actions and by the actions of its predecessor a deficit that has to be dealt with—nobody argues that deficit has to be dealt with—but by using the one method that is not the common practice in actuarial circles to value this pension plan, it makes it impossible to deal with this on a comparative basis.

Just a couple of other quick examples of the kinds of things they did along a similar line in their approach to this question of pensions: They have chosen to amortize the unfunded liability over 40 years instead of over 15 years, which is the norm. I want to explain to members what that does and how that distorts numbers in the system. It becomes very clear, when you start to see some of these things, precisely what the game is that these people are playing.

If we amortize an unfunded liability over 15 years with what they refer to as a level payment, we end up in the 12.9 per cent range—this is what we would pay off of that unfunded liability each

year; if we do it over 15 years at what they call per cent current it is about 13.3 per cent; if we do it over 25 years at per cent current it is 11.5 per cent; and if we do it over 40 years at per cent current it is 11.3 per cent. So even going from the 15-year amortization to a 40-year amortization at either level payment or per cent current, the range of percentage that we are dealing with each year does not change all that much. It ranged from 11.3 at the low to 12.9 at the high.

But what does this government do in its valuation approach to the plan and the unfunded liability? It uses a 40-year amortization at what they call per cent future. All of a sudden, what do we find? It is not 12.9 per cent each year that we are paying off, it is not even 11.3 per cent each year that we are paying off, but it is 4.9 per cent. What are we doing with this 40-year amortization of this debt that the member for York Mills so nicely points out the government has taken total responsibility for? It shifts most of that debt far beyond the life of this government and on to future taxpayers, members' grandchildren—not even their children, their grandchildren. Is that good government? Absolutely not.

What is even worse when it does that is that we get the comments that in this piece of legislation this government is taking total responsibility for the current unfunded liability. In technical terms that is true, but unfortunately it has also put in the other mechanisms in this piece of legislation to pay off that unfunded liability so it never has to live up to the commitment. So yes, the member for York Mills can stand up in this House and say the government of Ontario is committed to paying off this unfunded liability, but in this legislation it has put the mechanisms around surplus and how future surpluses get applied, and tacking on the one per cent payment increase to ensure that although it has made the commitment to pay off the total unfunded liability over 40 years, the government of Ontario will never have to pay the vast majority of that because under this piece of legislation, having taken an additional one per cent out of the teachers, future surpluses will first have to be applied against debts of the plan.

Yes, the government has made the commitment, but it has put in place the mechanisms to ensure that it never has to live up to that commitment. This is the kind of approach this government takes to fairness and equity, which makes people like myself and like other civil servants in this province and teachers in this province and, continually, additional groups of environmentalists, energy activists, conserva-

tionists and so on and so forth understand that this government has no real understanding of the meaning of the words "equality, equal partnership, fairness."

I think it is clear that I will be standing to oppose Bill 66, as will the rest of my caucus. I sincerely hope the members of the general government committee presently dealing with the public service superannuation fund and the members of whatever committee this particular piece of legislation, Bill 66, gets referred to, instead of just toeing the government line, take the time to realistically listen to the expert evidence that those committees will hear about the actuarial bunk this government has been trying to stick us with around these two pieces of legislation.

1740

Mr J. B. Nixon: I could not avoid speaking to this one. The member for Hamilton Mountain has talked about the two actuaries who came before the committee to give evidence in the past on another bill. First of all, only one came; the other delivered a letter and it was read into the record. Only one gave evidence.

Also, we are not sure if the second one is an actuary. He is not the guy with a lot of initials behind his name. He is not the guy who is a member of a lot of professional associations. We really were not clear as to what expertise he had, if any. Now, he had a lot of opinions. I would suggest to the member that one opinion the member for Hamilton Mountain might consider is that ultimately the government—he is right—is not funding this deficit, but he is wrong when he thinks the teachers are; the taxpayers are.

This pension plan is funded by the taxpayers of the province of Ontario. This government has a responsibility to manage and steward that pension plan and those moneys responsibly. Let him not make any mistake about it or think that he somehow controls it, he should run it or anyone else. It is the taxpayers of Ontario whom we are responsible to and whose interest we have to protect.

Mr Charlton: I will reply very briefly to the member for York Mills. He can stand up and question the credentials of those people who testified before the committee last week all he wants. I think it is more important that each of the Liberals on that committee and here in this House dealing with this piece of legislation seriously questions his own credentials to make the kinds of judgements that are being foisted on us in almost total ignorance of expert opinion, includ-

ing the lack of expert opinion which the member for York Mills has to offer on this issue.

Mr R. F. Johnston: I rise as the last of the speakers from the New Democratic Party caucus in opposition to this bill and I would like to start off by thanking my colleagues. I was supposed to have carriage of this piece of legislation, but family matters kept me from being able to be here at the opening of remarks. I thought their pithy and palpable hits were just what we needed and the government has been squirming ever since.

When we have people who can speak actuary like the member for Hamilton Mountain behind me—I mean, I speak English and a little bit of French, but I do not speak actuary and I always find it very impressive when people can actually do that sort of thing—I think it makes the government very unhappy.

I say to members of the public in general who do not know how legislation is written, the fact that we have Bill 66 before us today is a great shame, because it is recognized among those of us who walk the back corridors here from time to time that this bill, if it had stayed Bill 41, would no doubt have broken the record for amendments to a bill.

I look across and I see the former Minister of Education who is responsible for that and I say, "What else would he be remembered for?" What else would anybody remember him for at all if it were not for the fact that this bill would have had the most amendments of any bill presented? Of course, as he said to me just recently, they were all housekeeping amendments; all 100 and something were housekeeping amendments. That is a lot of dust, if you ask me. They had to move a lot of end tables on this one. Who said he does not do windows?

I would have to say that this is one of my fundamental disappointments, that members out there in the public do not realize what an enormous change there was between Bill 41 and Bill 66.

I will just say to the present Minister of Education, who is listening to me with rapt attention as he always does when I rise to my feet in the House, that the other thing this enactment is useful for is a little lesson about consultation and what the government considers active consultation with the teaching community in the province of Ontario. I think if there has ever been a failure of consultation and if there has ever been a time when a whole profession should be suspicious of a government for its intentions around a pension plan, this is probably the best example that I can think of.

The government adds on another one per cent that they have to pay and they are already paying virtually more than anybody else in society for their good pension plan. The government still does not give them any control of the plan. It still does not have any kind of resolution to the disputes that there might be between the government and the teaching profession, and the minister says: "But we had a great consultation." He makes 100 and more amendments to a bill and he does not touch the substance one iota. He does not touch one of the things that the teachers' federations are telling him are the things that are upsetting them and their membership.

Members of the standing committee on social development, who are not here today because they are presently dealing with another bill on education—which I should be dealing with downstairs at this point; I will talk to my House leader about this kind of thing later on—have an interesting experience ahead of them.

As those people come forward who know how to speak actuary and those teachers who know how this is going to hit them in their pockets again rub in the minister's face what he is doing to them, I just say to him that if he does not make some amendment to the major principles they were talking about, the 25,000 who turned out in Hamilton not too long ago will remember him well into the next election and he will pay for it. Obviously, I hope he does not listen.

Hon Mr Conway: I want to, first of all, thank my colleagues on all sides who have participated in this debate over the last couple of days. It has been a good debate about an important subject where the government has advanced the argument that what we intend with Bill 66 is that a very good plan, a very good pension plan is in trouble and we want to secure that plan on much firmer ground so that it can meet the obligations expected of it into the future.

I want my friends opposite to know that I have listened very carefully to what they have had to say. I have been somewhat surprised to hear what some members had to say. The member for Rainy River does not appear to understand that the government, in good faith, is putting before the committee three proposals for governance: a proposal whereby there would be a partnership model; a proposal that would allow a teacher-run plan, and a proposal for a government-sponsored plan.

We offer those alternatives in good faith because we recognize that there is a range of possibilities. I want to say that the member for Rainy River seemed particularly confused about

the fact that there is a range of possibility and we are going to look to the committee as it reviews this bill at the next stage for its views in that respect.

I want to say that in so far as the investment policy of the bill is concerned, it is very clear that the government has acceded to a long-standing request from the profession that the teachers' pension fund be allowed to invest in nongovernment paper. That, we think, is a very important step in the direction of what it is the teaching profession has requested for some time.

In so far as the benefits offered over the years, particularly it must be said that this is a very, very good plan. My friend the member for Erie (Mr Haggerty) was observing parenthetically a few moments ago that there are many in the community who, if they had this plan, would be very pleased to have a plan of this kind. We do not in any way diminish the quality and significance of this plan and it is for that reason that we want to make sure this defined benefit plan is sufficiently well funded to meet the obligations that both the teachers and the government expect of it in the future.

I must say that under this pension arrangement, the benefits received for the contribution paid are extremely good, and we want to make sure, as I said today in my opening remarks, that the proposal, the government policy that underlines Bill 66, in fact provides additional benefit improvements.

1750

I will accept that there are teachers who rightly wonder, "How is it that we can expect an increase in contribution rate without a very substantial increase in benefits?" I have to say in response that the issue in this debate has got to be this: a good plan is in trouble; it is in trouble because the indexation that was provided over a decade ago was not at the beginning, nor has it been throughout the piece, well financed.

The member for Rainy River or perhaps the member for Hamilton Mountain—I forget which—made the argument that teachers should have, by his submission, any surplus that has accrued on the main account. Our latest actuarial assessment indicates that there is no surplus on the main account, but the logic seemed to be—

Mr Morin-Strom: How many different stories do you have?

Hon Mr Conway: I see people gasping that that is not so, but our information is that the most recent—

Mr R F Johnston: Was this delivered a few minutes ago? This was just flown in. Where are those carrier pigeons?

Hon Mr Conway: I want to make the point that if the member's argument is that one ought to have any surplus on the main account, how is it then that he does not accept the deficit that is in the Superannuation Adjustment Benefits Act account?

He cannot have it both ways. It seems to me that if he wants a surplus that may be, for the sake of argument, in the main account, he has to accept, by the same logic, responsibility for the multibillion-dollar deficit that is now in the SABA account.

I want to make the point that in this proposal we are saying that because of the difficulty in the indexation account we are moving to address that concern, and the government of Ontario annually makes a very substantial contribution to this fund.

I simply want to say to my friends opposite that we think what we are proposing is very reasonable. We have debated with the teaching profession over the last number of months a range of ideas. There is no question that on issues like contribution rates and benefits, for one very significant example, and on dispute resolution for another, we are not yet at one, but I do not rule out that over the coming days we are going to, hopefully, coming to an agreement on ideally the partnership model. But I have to tell my friends opposite that I do not take consultation to mean agreeing with the other partner in all respects, as I am sure they do not expect that of me either.

I simply want to conclude my remarks by saying that Bill 66, we think, is a very reasonable proposal. It seeks to combine both of these streams of the teachers' superannuation account. We intend to put the indexation on a much better financial footing. We intend to extend benefits in areas like portability, for example. We are improving, substantially, the number of days that retired teachers can teach without extra penalty or payment—

Interjection.

Hon Mr Conway: I think my friend from Scarborough knows exactly what of I speak.

I simply want to conclude by saying that we accept our responsibility to ensure that this excellent plan is going to meet the obligations and expectations of it. I offer it to my colleagues for their support and I will look, Mr Speaker, for you to call the vote.

1805

The House divided on Mr Conway's motion for second reading of Bill 66, which was agreed to on the following vote:

Ayes

Ballinger, Beer, Black, Bossy, Campbell, Caplan, Carrothers, Chiarelli, Conway, Cordiano, Daigeler, Eakins, Elliot, Elston, Faubert, Fawcett, Fleet, Grandmaitre, Haggerty, Henderson, Hošek, Kanter, Kerrio, Keyes, Leone, Lipsett, Lupusella;
MacDonald, Mahoney, Matrundola, McClelland, McLeod, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Offer, O’Neil, H., O’Neill, Y., Patten, Phillips, G., Polsinelli, Poole, Reyecraft, Riddell, Roberts, Ruprecht, Smith, E. J., Sola, South, Stoner, Tatham, Ward, Wong.

Nays

Allen, Bryden, Charlton, Cooke, D. S., Hampton, Jackson, Johnson, J. M., Johnston, R. F., Laughren, Mackenzie, Marland, Martel, Morin-Strom.
Ayes 55; nays 13.
Bill ordered for the standing committee on social development.
The House adjourned at 1809.

ERRATA

No.	Page	Column	Line	Should read:
2	31	2	35	Miss Roberts moved first reading of Bill Pr19,
2	31	2	39	Mr Kanter moved first reading of Bill Pr1,
2	63	1	26	Pr19 31
2	63	2	1	City of Toronto Act, 1989, Bill Pr1. 31
74	4253	1	8	See sessional paper 219.
74	4253	2	5	See sessional paper 220.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neill, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 34th Parliament

Tuesday 28 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 November 1989

The House met at 1330.

Prayers.

ANNUAL REPORT, OFFICE OF THE PROVINCIAL AUDITOR

The Speaker: Just before I call the first order of business, I beg to inform the House I am today laying upon the table the annual report of the Provincial Auditor of Ontario for the year ended 31 March 1989.

Mr McCague: Where is it? You said you laid it on the table; I can't see it.

The Speaker: It is in the mail; it is in the mailbox.

MEMBERS' STATEMENTS

AUTOMOBILE INSURANCE

Mr Kormos: It is outrageous that yesterday in a press release the Minister of Financial Institutions (Mr Elston), the Legislature's very own Tom Pepper, would suggest that no alternative solutions have been offered to the government with respect to the automobile insurance crisis here in the province of Ontario. That is bizarre because long before I was here, during the 13-year tenure of Mel Swart, and since, this government has been reminded on an almost daily basis that the alternative is one of a public, nonprofit, driver-owned automobile insurance system like those in the three western provinces which consistently continue to provide automobile insurance coverage at significantly lower rates than that provided in Ontario.

The New Democratic Party, in its policy paper Highway Robbery, offered by the member for York South (Mr B. Rae), the leader, and by Mel Swart back in 1987, had this to say:

"Nor do we consider it necessary or appropriate to impose any kind of threshold requirement. Any threshold limit such as that used in Michigan leads to disputes about the threshold level. In fact, as much time is spent on litigation about Michigan's threshold level as about settlements themselves.

New Democrats are opposed to the loss of individual legal rights entailed by such thresholds, just as we are opposed to their wholesale elimination by so-called 'pure' no-fault arrange-

ments." We very much believe that a public, driver-owned, nonprofit system can provide auto insurance fairly and affordably while retaining the right to full compensation.

TAX INCREASES

Mr McLean: My statement is directed to the Treasurer (Mr R. F. Nixon) and it concerns his government's taxation and spending policies, which have resulted in a decrease in Metropolitan Toronto's \$2.7-billion-a-year tourism industry. He is sending mixed signals to the taxpayers of Ontario. Earlier this year he hit the people of Ontario with the second tax grab, of \$1.3 billion, in as many years. We were hit with higher gasoline taxes, a commercial concentration tax, a new tire tax, a payroll tax and increased land transfer taxes, to name but a few.

How does the Treasurer attempt to justify his tax grabs? He claims his government needs this revenue to pay for new and existing programs for the people of Ontario. But he is wrong. It appears the money is really needed for some pretty creative empire building.

Since September 1985, the government has increased its leased office space by nearly one million square feet. The leased office space costs taxpayers about \$60 million. The same government has hired more than 7,000 new civil servants. The Treasurer continues to say the increases and new taxes are needed to assist the people, but I say the money is needed to lease expensive office space, hire an exorbitant number of civil servants and build an empire, all at the taxpayers' expense.

The Provincial Auditor appears to agree with my assessment of the government's mismanagement of the tax dollars of Ontario.

CLARENCE MILLIGAN

Mr MacDonald: I am pleased to stand in the House today to acknowledge the efforts of Clarence Milligan. Forty years ago, Clarence started farming and today, at a healthy age of 86, he continues to farm in eastern Ontario.

Attendance at the annual conference of the Ontario Federation of Agriculture is what brings Clarence to Toronto this week. In 1986, the federation recognized Clarence's dedication to

agriculture when it inducted him into its hall of fame. More recently, the federation presented Clarence with a plaque to recognize his 40-year contribution to agriculture.

This resident of the town of Napanee has demonstrated loyalty and commitment. His dedication to the Ontario Federation of Agriculture has set an example for all farmers across Ontario.

In addition to his accomplishments in agriculture, Clarence holds the honour of having been, during the Diefenbaker cabinet years, a member of the House of Commons. The former member joins us today in the gallery and at this moment I would like to take time to welcome Clarence Milligan.

LENGTHS OF TRUCKS AND TRAILERS

Mr Morin-Strom: We do not need and we do not want monster trucks on our streets and highways. Our highways are dangerous enough today without the government allowing another two-metre increase in the length of trucks in Ontario.

Just a month ago, the Minister of Transportation (Mr Wrye) said he would not allow the extra-long trucks because of safety concerns, but I guess safety considerations do not matter when the Liberals want to make political points at an annual convention of the Ontario Trucking Association. The minister has no excuse for this flip-flop that is a direct threat to the driving public in Ontario.

When we have transport trailers that cannot manoeuvre on approved city-street trucking routes, when we have highways that are being wrecked by the massive trucks already on them and when we have a two-lane Trans-Canada Highway as our major national trucking route, how can this government propose that the rolling monsters be even bigger? Surely our lives and our enjoyment of life are more important than just how much additional stuff can be jammed on to a tractor-trailer. I would ask the Liberals to just consider the general public before they act.

The Canadian Automobile Association argues that longer trucks endanger the lives of ordinary drivers, the Ontario Provincial Police say they will make a bad situation worse and People to Reduce Impaired Driving Everywhere, the organization dedicated to making driving safer, says it is just plain crazy. Is the minister crazy or is he going to come to his senses and do something about making our highways safer?

CONSTABLE KIMBERLEY SERRICK

Mr Runciman: I rise to extend condolences to the family of Kimberley Serrick, an Ontario

Provincial Police officer who was struck by a car and killed on Sunday in Petrolia while out jogging. The driver of the vehicle has been charged with impaired driving causing death, along with other related offences. It seems most ironic that she would die in this way, knowing that as an officer of the law she was charged with the responsibility of apprehending such motorists.

This is an extremely difficult time for the family of Constable Serrick. It was only last February that her younger sister was killed in a car accident in Orangeville. The loss of yet another daughter must be very painful for the Serrick family, and I know I speak for all members in saying that our hearts go out to them.

Members will know that Constable Serrick worked here at Queen's Park for the Ontario Government Protective Service for two years before leaving in September 1988 to join the OPP. She also served in the militia with the Canadian army cadets, where she attained the rank of second lieutenant, a commission she was extremely proud of.

Sergeant Gord Perry of the Petrolia OPP has informed me that all officers in his detachment will be travelling to Orangeville this Thursday to attend the funeral of their late comrade. Sergeant Perry described Constable Serrick as being very proud of her top physical condition. She had taken additional training to assist with investigations dealing with family violence and especially those involving child abuse.

1340

Many members of the community of Petrolia took up a collection for Constable Serrick's family. It was their way of showing their love and respect for her.

Again I want to express condolences to the Serrick family on behalf of all members of the Legislature.

AUTOWORKERS VILLAGE

Mr Dietsch: I would like to take this opportunity to inform this House of an extremely worthwhile and innovative development.

Yesterday I attended the ground-breaking ceremony of the Autoworkers Village, the project of Canadian Auto Workers Local 199. Autoworkers Village is on its way to becoming a reality after the suggestion was made two years ago to use the 15 acres of property behind the union hall to provide low-cost housing for retired workers.

In addition, after a survey of the city they found that a large number of retirees and

surviving spouses were finding it difficult to look after their family homes and many were reluctant to move into apartments.

A further benefit of this project will be that the assets retirees have accumulated in their family home can now be utilized in the enjoyment of their retired life by more recreation and possibly more travel.

This project, as the members can see, has required strong leadership, dedication and a lot of hard work. I would like to commend James Connell, Al Bratton and John Clout, the entire retiree housing board and the retirees themselves for their great strides in providing services beyond the workplace and beyond 65.

I am thrilled to see the teamwork and community concern of Local 199, which I feel is a good example for all of us.

AUTOMOBILE INSURANCE

Mr Laughren: I would like to quote some comments of a speech by Tom Delaney of the Consumers' Association of Canada (Ontario) in a speech he made yesterday afternoon. He questioned whether or not no-fault was fairer than tort law, and he said:

"As a means of compensating people injured in automobile accidents, the existing tort system is fundamentally flawed. It does not recognize that many accidents are the result of simple, everyday human mistakes and, by failing to recognize this, it grossly undercompensates many injured people. The tort system can also fail to compensate injured people who for whatever reason, are unable to demonstrate that someone else was at fault. The compensation provided to injured people is not based upon the degree of fault of the negligent driver, nor is it always based upon the injured person's needs. Instead, it depends upon the amount of coverage carried by the at-fault driver, the insurance company's willingness to negotiate, the skill of the lawyer retained by the injured party to negotiate or to litigate and many other factors. It is simply not a fair system."

Delaney went on to say:

"How much more evidence will it take for the Ontario government to do the right thing by consumers (and by the insurance industry) by not passing Bill 68; but by introducing instead, a bill to create a government-run pure no-fault system for auto insurance in the province of Ontario. There is still no light at the end of the tunnel for consumers on auto insurance. Perhaps it will take an election result to make politicians come to their senses."

FISHING

Mr Pollock: The Minister of Natural Resources (Mrs McLeod) has increased the four-day fishing licence to \$6.50, an increase of 30 per cent, and a seasonal licence to \$11.50, an increase of 15 per cent. This is a surprise and unfair, because the Ministry of Natural Resources has not increased its budget for the last three years. They have flat-lined their budget, meaning that they did not keep pace with inflation.

Some anglers were willing to pay for a licence to fish if the revenue went into restocking programs. However, when the minister flat-lined her own budget, they felt that they had been led down the garden path.

At the same time the minister increased the licence, she reduced the quota for sport fish. There is no mention in the newspaper article that she is cutting back on gill netting in the areas of the Great Lakes. The minister is penalizing the sports fisherman and not putting any restriction on the commercial fisherman. Restrictions and increased cost to the sports fisherman are certainly affecting our tourist industry.

COUNTY OF MIDDLESEX

Mr Reycraft: I would like to take this opportunity to acknowledge two important projects of historical significance that have just been completed in my riding.

On Saturday I attended the official opening of the Middlesex county jail restoration project along with my colleague the Minister of Culture and Communications (Ms Hart). This achievement is the result of the tireless efforts of many people to restore Middlesex county's historical administrative centre.

These dedication ceremonies were also marked by the release of a book outlining the history of Middlesex for the last 200 years, including a history of county government. Entitled *Middlesex—Two Centuries*, it was commissioned by county council and may be the only project of its kind in the province.

The book was the brainchild of editor Edward Phelps, librarian for the regional collection at the University of Western Ontario library. Contributions were also made by John Levertton, Pat Morden, Mike Pizzuti, Joe Sheik and David Hallam.

I would like to congratulate all of these people, as well as Middlesex county warden Charles Corbett and his 28 council colleagues, for two jobs well done. Both of these projects will add tremendously to the historical culture of Middlesex county.

STATEMENTS BY THE MINISTRY

ANNUAL REPORT, ONTARIO ADVISORY COUNCIL ON SENIOR CITIZENS

RAPPORT ANNUEL DU CONSEIL CONSULTATIF DE L'ONTARIO SUR L'ÂGE D'OR

Hon Mr Morin: It is my honour to table with the House today the 15th annual report of the Ontario Advisory Council on Senior Citizens.

This year, council distinguished itself by undertaking province-wide consultations to help determine attitudes towards ageing in multicultural Ontario. This resulted in the production of a major report, titled *Aging Together—An Exploration of Attitudes towards Aging in Multicultural Ontario*, which was released earlier this year. The report addresses such issues as access to services, housing and long-term care, health care, finances and relationships, and contains a number of recommendations that are now being reviewed by my office.

Au cours de la dernière année, le conseil s'est aussi penché sur les questions relatives aux logements, aux droits des grands-parents et sur la substitution des pouvoirs décisionnels des personnes atteintes d'incapacité mentale. Il a également continué à donner suite aux recommandations présentées dans son important rapport intitulé : *La vie, c'est la liberté de mouvement*; rédigé en 1987 en collaboration avec le Conseil consultatif de l'Ontario sur les personnes handicapées.

The council also continues to distribute its quarterly newsletter, titled *Especially for Seniors*, which is now sent to almost one million readers. Winners of an essay competition which asked readers to outline what it means to be a senior were published in *Are you Listening?* This publication was released by the office during this year's Senior Citizens' Month.

The council continues to provide invaluable advice and guidance to the Office for Senior Citizens' Affairs. I am particularly grateful for the strong support they have given to me.

Chaque membre du conseil possède une connaissance approfondie des personnes âgées de l'Ontario et des questions touchant cet important groupe de la population. Au cours des années, leur dévouement a produit des résultats remarquables.

The work done by council's outgoing chairperson, Ivy St Lawrence, is deeply appreciated. I wish to thank Mrs St Lawrence for the fine leadership she provided to council during the past four years.

Council's new chairman is JoAnne Fillimore. Mrs Fillimore is present in the gallery today, and I am delighted to acknowledge her presence.

1350

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Hon Mrs Caplan: On 1 December each year, we are asked by the World Health Organization to observe World AIDS Day.

As Friday of this week approaches, it is appropriate for us to reflect on how the AIDS epidemic is affecting us all. As members may know, the World Health Organization's chosen theme for AIDS Day this year is youth, and surely our young people are uppermost in our minds whenever we think about AIDS.

This government and my ministry have taken a leadership role in bringing Ontarians much needed information about AIDS and in responding effectively to the AIDS challenge. Through our schools we are talking openly to our children. Through the media we say to people, "Let's talk" about all aspects of AIDS by using our provincial AIDS hotline.

I am proud, as Minister of Health, of Ontario's response to AIDS and I want to stress the need, as World AIDS Day approaches, for continued efforts on all fronts against this disease.

To this end, I am pleased to announce today additional funding on two of those fronts: AIDS outpatient clinics and scientific research. I am allocating a total of \$688,750 in new funding for four clinics. The clinic at Sunnybrook Medical Centre in Toronto will receive \$290,600. The Toronto Hospital will receive \$86,850 a year. Ottawa General Hospital's AIDS clinic will receive \$102,500. In Hamilton, the new AIDS outpatient clinic at the McMaster site of Chedoke McMaster Hospitals will receive \$208,800.

Ontario's comprehensive response to AIDS also includes research into new ways of treating the disease. In April 1987 I announced a grant of \$1.5 million to the University of Toronto to build a virus isolation laboratory. Construction of this state-of-the-art facility is virtually complete and research will begin shortly into drugs that show promise of effectiveness against HIV. In this connection, I am pleased to announce a further grant from my ministry to the University of Toronto of \$250,000 for laboratory equipment.

Just yesterday, I had the honour of officially opening here in Toronto the St Michael's Hospital AIDS outpatient clinic, for which my ministry has already provided substantial funding.

As members will know, I recently appointed Marnie Paikin of Burlington to chair the newly created Ontario AIDS Advisory Committee and I am looking to her and to the committee for advice on how to continuously improve the effectiveness of our battle against this disease.

I want to take this opportunity to remind members that since the AIDS epidemic began, Ontario has channelled more than \$60 million into comprehensive initiatives including clinics, laboratories, drug programs, research, community support and public awareness campaigns. That \$60 million does not include, by the way, all the physicians' services, inpatient hospital care and home care associated with the treatment of AIDS.

I am confident that this strategic approach will lead to the development of a network that will serve us well as we devise ever more effective ways of responding to AIDS and HIV.

RESPONSES

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr D. S. Cooke: I would like to reply briefly to the statement of the Minister of Health. We in the New Democratic Party join with the government in recognizing 1 December as World AIDS Day. I would like to say to the minister, however, that it would be inappropriate to indicate that services across this province are equally available in all communities.

As the minister will know, there are a fair number of clinics accessible here in Toronto, but clinics do not exist in most areas of this province. There are not adequate hospital services available to the majority of people who are experiencing and living with AIDS on a daily basis. There have been applications for other clinics at other hospitals, one of them I know for sure in my own community, and that clinic to this date has still not been funded.

There are still not adequate services in terms of hospice services. There is one hospice in this province and that exists here in Toronto. It provides an excellent service, but that is not something that is available to the vast majority of people across this province.

Home care and other support services so that people do not have to access hospitals for months upon months are not available uniformly across this province. They are inadequate to meet the challenge of people living with AIDS across this province. So I would say to the minister that in terms of services we have a long way to go in this province.

In terms of prevention, this government over the years has, I think, done a fairly good job in public awareness and advertising and trying to get that point across. That is not to say we do not have more to do and more to learn, but I think the government has shown some leadership in that area.

I guess I would like to finish by simply saying that the slogan "Let's talk" is one we all agree needs to be done on this issue. I think all 130 of us in this Legislature should once in a while talk about this issue. I continue to be amazed that the whole issue of AIDS is raised so seldom in this Legislature, so seldom in question period, so seldom in debate. I think all of us need to ask ourselves whether we are doing enough talking, discussing and debating on this issue.

ANNUAL REPORT, ONTARIO ADVISORY COUNCIL ON SENIOR CITIZENS

Ms Bryden: I welcome the publication of the annual report of the Ontario Advisory Council on Senior Citizens. It is always full of very good suggestions on how to improve the life and opportunities of seniors.

I am particularly impressed by its discussion of the transportation needs of seniors and the strong recommendations for public funding of transit operators to provide adequate services to seniors, and to the frail, elderly and ambulatory seniors. It points out that there is no adequate sharing of the costs of those things, and that in April 1988 there was a major report on recommendations on how to improve access to all transit for frail and ambulatory disabled persons, but I do not think there has been a great deal of action on this report.

I also note that there is a call for an integrated homemakers program, which is still not available except for pilot projects in the Toronto area or in six areas of the province. We still have a long way to go and we are still looking for a policy on adequate dental care for seniors, which was promised in the 1985 election.

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr Eves: It is a pleasure for me to rise in support of the statement on AIDS by the Minister of Health in the Legislature this afternoon. I compliment her on the steps she has been taking with respect to clinics and research.

There is just one caution or one note that I would like to bring to her attention, and that is that when we develop these outpatient clinics in hospitals it also puts a tremendous burden on the

inpatient services, because sooner or later many of these patients become patients in the hospital as opposed to outpatients at the clinic. I just hope that she and her ministry take this into account when they are determining and assessing hospital budgets, especially those that go out of their way, as many of them in the province now do, to establish AIDS clinics.

I would also be very remiss in commenting on this statement this afternoon in the Legislature if we did not take particular awareness of the Metropolitan Toronto home care program, which has an AIDS component to its delivery of services and is celebrating its 25th anniversary today. They serve over some 7,000 people in Metropolitan Toronto daily and are the oldest in North America. I think they are to be congratulated for their efforts.

ANNUAL REPORT, ONTARIO ADVISORY COUNCIL ON SENIOR CITIZENS

Mr Brandt: I want to respond to the statement the Minister without Portfolio responsible for senior citizens' affairs made in the House today in connection with the release of the annual report of the seniors' advisory council.

Let me first begin by thanking and congratulating Mrs St Lawrence for her efforts during the past year and wish the new chairman, JoAnne Fillimore, all the best in terms of success in the ensuing period for which she will have the responsibility of advising the minister on certain matters pertaining to seniors.

From the perspective of our party, we recognize the extremely important segment of the population represented by our seniors in Ontario. They are rapidly increasing in numbers, as the minister well knows. I think it is paramount that the minister get the maximum degree of input from the seniors' community and from the advisory council in order to develop programs that are flexible and recognize the substantial increase in population that will occur as a result of the demographics we face in Ontario, programs that are also affordable.

I think the seniors recognize that there are some very real changes coming that are going to be difficult for both the seniors and government to handle. I speak about the fact that in today's society there are six workers for each senior who are supporting seniors on pensions. That is going to change to about three workers supporting one person on pension early in the year 2000.

Those kinds of dramatic changes mean we have to keep a degree of flexibility and open-mindedness on those programs so that we can

assist seniors to have the kind of comfort and lifestyle they have worked for and deserve, and at the same time do it in such a way that it can be afforded by the rest of the population.

I congratulate the advisory council on the release of the report, wish them well in the coming year and offer the minister the co-operation of my party in his efforts to assist seniors in the province.

1400

Mr Sterling: In glancing through the annual report, which I congratulate the advisory committee on, on page 23 the members of the committee regret that the Ministry of Health no longer prints and distributes a pamphlet relating to drug use by seniors. I would advise the advisory committee that our party has recently produced a pamphlet called Check the Mix, dealing with drug use. It is a very excellent pamphlet that we would be quite willing to forward to the committee for its use.

I would like to say in addition that I was glad to see the advisory committee support changes in legislation relating to decision-making for mentally incapable persons. We wrote to the Attorney General (Mr Scott) some six or eight months ago requesting that he bring forward legislation in this regard at a very early time. We think the time has passed for discussion on it and that legislation should be introduced here and passed by this Legislature to deal with this very difficult problem. We are with them 100 per cent on that.

We also appreciate their offer to share in the costs with regard to homemakers. We think it is very generous of the seniors community to make that offer.

VISITOR

Mr Philip: I might mention that one of the outstanding figures in the field of public auditing in the world is our own Provincial Auditor. He and his staff are in our gallery and we might like to welcome him and show our appreciation.

ORAL QUESTIONS

CONSULTING SERVICES

Mr Philip: I have a question for the Chairman of Management Board, stemming from the auditor's report, regarding the contracting of consulting services by this government. The Provincial Auditor in the report tabled today has concluded, "Although government directives discourage continuous reliance on consultants, annual expenditures for consulting services have increased from \$86 million in 1985 to \$165

million in 1989," or a 92 per cent increase in the four years this government has been in office.

Can the minister explain why this government has so flagrantly violated its own directives to the extent of expending more than \$165 million on hired guns last year?

Hon Mr Elston: The honourable gentleman would like to advise the people of the province that the reason the consulting services are high is that we have had an unprecedented amount of capital construction in this Ontario we so much love. We are preparing for the future.

We are doing more work on highways 416, 407 and 403. We are putting more septic and water systems in the ground than ever before. We are dealing with cleanup of water pollution. We are dealing with the construction of new buildings to accommodate the needs of hospitals and social services right across the province.

We need the people, the engineers, architects and designers of highways to do the work that could have been done before, but was not. We need those people to make sure the services are available not only today for the people of the province, but also into the future. It is critical that we become highly competitive and have an infrastructure that allows that to occur.

Interjections.

The Speaker: Order. Just before I recognize the member for the supplementary, it would make it much easier for me, and I am sure for all, if one member spoke at one time.

Mr Philip: The auditor has given different reasons for the increase. For example, the Provincial Auditor has pointed out that the consultants' salaries were approximately 70 per cent higher than the salaries provided to public employees doing approximately the same kind of work.

Why would this government spend 70 per cent more on outside consultants than it would cost to have public servants doing identical work? Is the minister not satisfied with the public servants' ability to provide the jobs, or does he simply want to float away the taxpayers' money to his friends in the consulting firms?

Hon Mr Elston: The honourable gentleman would probably want to understand that we do go outside government to get consulting services from time to time because we do not retain on staff people with expertise to deal with certain things, such as architects and engineers. We also go out and get people who have particular expertise to advise us in important legal matters.

We do that because there are people who are not required on staff at all times. We do pay more for those people outside because we do not have them on the payroll and we would not want the taxpayers to carry those people right on through unless they were needed. There are situations where, quite frankly, it is better to retain outside counsel, better to retain outside engineers, better to retain outside architectural help than to have them on the public payroll at all times.

Mr Philip: The minister says it is better to use outside consultants. That is not the conclusion of the auditor. The auditor has concluded that in most instances, "Continued reliance on consultants is uneconomic," to use his words, and furthermore that it permits a firm to gain a monopoly on a particular area. Over the last few years the auditor chastised many of the government's ministries over the way in which consulting services then were tendered or not tendered or sent out.

What is the minister going to do specifically to ensure that the work that can be done by public servants is done by public servants, and to deal with the criticism that is given in this auditor's report?

Hon Mr Elston: The situation ought to be put into perspective. The perspective is that in fact we are doing a good job in Ontario and that we comply with the directives. There is more room for improvement and all of us here would say there can be more improvement, but let us be very specific about what has to be done. When there are special jobs that need to be done, we must retain the best people we can. If they are not inside, we go outside. Where there are situations that we can handle internally, we do that.

With respect to the issue about a firm being able to develop a monopoly, we are quite sensitive about that. It applies not only with respect to people who are developing expertise in engineering and other things, but also with respect to the supply of information technology. We thoroughly review the people who participate in our tender calls at all levels. We also do a very thorough analysis to see who is able to provide the service so that we are not dependent on one particular firm or one particular individual. We have a much broader participation in the consulting world than we have ever had.

YORK REGION LAND DEVELOPMENT

Mr D. S. Cooke: I have a question to the Premier as a follow-up question with regard to the dealings between York region and developers and politicians. I would like to ask the Premier as

a follow-up from yesterday's questions, can the Premier tell us when a decision was made not to hold a public inquiry, who made that decision and was the Premier involved in making that decision?

Hon Mr Peterson: That was made after the police investigation. There was a thorough police investigation, I believe for 11 months, and then a decision was made that it could not go any further.

1410

Mr D. S. Cooke: The Premier did not give us the date and did not indicate who was involved in making that decision and whether he specifically was involved.

Since it is very clear that the Minister of Municipal Affairs was involved in making the decision and that Gordon Ashworth was involved in making the decision—a person who did not work in somebody else's office; a person who worked in the Premier's office, a person who was high in his office and was responsible for advising the Premier on these issues, responsible for advising him on an issue like this, which the Premier must understand has far-reaching political consequences for his future and the future of his government—is the Premier telling us today and yesterday that he had nothing to do with the decision not to call a public inquiry?

Hon Mr Peterson: My honourable friend misrepresents the facts in the circumstances. There was a meeting that was reported—

Interjections.

Hon Mr Peterson: I will withdraw, Mr Speaker.

The Speaker: Thank you.

Hon Mr Peterson: He is wrong in his interpretation of the facts, shall I say, a little more charitably? The minister and others have told the members what happened in the circumstances, as have I. There was a meeting last February in the midst of a police investigation. That police investigation carried on to its logical conclusion. It went on for some 11 months and they came to the conclusion that charges could not be laid in the circumstances. Those were the circumstances that happened.

Mr D. S. Cooke: When?

Hon Mr Peterson: There was a press release by the police, I am told, in May or June of that year, saying that a thorough investigation would be done and no charges would be laid.

Mr D. S. Cooke: I guess one of the rationales the Premier has used and his minister has used is

that we could not have a public inquiry while a police investigation was going on. It is clear that the police investigation is complete and there are still many questions surrounding the dealings between politicians, the Premier's government and his donors and Liberal politicians in that area of the province.

Is it not appropriate, now that the police investigation is complete—he cannot use that as a copout—that the Premier quit the coverup of the problems in this issue and call a public inquiry into this matter now?

Hon Mr Peterson: There was a thorough police investigation. They came to their conclusions. I can tell my honourable friend that I do not fear a public inquiry. If there are any facts or anything to inquire into, why does he not stand up in this House—

Mr D. S. Cooke: The minister said that.

Hon Mr Peterson: The minister did not say that. The member is factually incorrect again. Just because he stands up and says it and repeats it and shouts does not mean he is correct. That is absolutely wrong, and he can ask the minister and/or the former minister, but I understand people like him wanting to stand up and say something that was not accurate in fact. We are used to that on this side of the House. If he stands up in this House and gives one scintilla of evidence of anything amiss, we will look into it in exhaustive detail.

Rather than just casting innuendo or allegations, he should stand up in this House and tell us what he knows and we will track it down. The police did not find anything after 11 months. He may be a lot brighter than they are. He may know a lot of things they do not know. If he does, he should stand up and say so, but he should not hide behind the immunity of this House casting aspersions on things that he does not know or does not understand. If he has proof, he should stand up and say so.

Mr Brandt: The police said they wanted an inquiry.

Mr D. S. Cooke: It was a recommendation from the Ministry of Municipal Affairs.

Hon Mr Peterson: That is nonsense.

CHILD CARE

Mr Brandt: I am being encouraged to raise a question with the Attorney General (Mr Scott), which I will save for another moment. My question today is for the Minister of Community and Social Services.

The auditor's report indicates that up to one third of all day care centres in Ontario are not in compliance with the safety rules and regulations as set down by the legislative requirements of the province. Recognizing that this does cause some degree of concern, quite obviously, among the parents who have children in those day care centres, why is it that the government continues to issue unrestricted licences to those particular establishments, recognizing that they are not in compliance with the rules and regulations that he himself has set down?

Hon Mr Beer: If the honourable member would care to review the statement which I made in the House last week, he will see that we have addressed the major issues and questions which the auditor has brought forward. Indeed, we recognized those earlier this year when my predecessor set up an internal review of all of our procedures. In that statement last week, I set out various checklists and inspection procedures that we have been and are now following which we believe ensure that people can place their children in the day care centres and know that they are properly licensed.

Mr Brandt: Let me quote from the auditor's report. "Infractions included consistent understaffing, unsafe supervision of children, unsanitary facilities and substandard meals." These conditions were identified in 11 out of 24 day care centres; in eight of the 11 problem day cares, conditions have existed for an average of some three years.

The minister indicates that he is going to be taking action on the concerns that are in the auditor's report, which I am repeating for him today. How can the minister answer the question raised, and the fact that he is already aware of, that his staff have been fully aware of this problem for some time now? This did not just come up during the course of the last seven days, as the Attorney General is well aware. In fact, he could have taken action some long time ago.

Why has he waited this period of time before any action has been taken?

Hon Mr Beer: In fact, and let me be very clear, we have been taking action and have not just begun this process in the last week. When we received the report, we issued directives in terms of specific things that should be done.

Let us just back up a moment and understand very clearly the tremendous growth that has been experienced by the entire child care system. We recognize, with the auditor, that some of that growth has produced problems. One of the things we have been particularly conscious of during

this past year has been the need to ensure better management procedures throughout to take care of exactly some of the situations which the member has raised, which the auditor has raised and in fact which have come up internally. We believe the steps we have taken are going to ensure that this system, which has, as I say, grown at a great rate over the last three or four years, is one where people can place their children and know that they will be in safe and secure conditions.

Mr Brandt: Up to 35,000 children, according to the auditor's estimates, are being looked after in day care centres in either unsafe or unacceptable conditions at the moment. The minister's staff has been aware of this for some time.

Why were the day care centres not required in any way, shape or form to advise the parents of these children that the centres they were occupying were not in compliance and that they were not getting the full service as required under the legislation? Surely it would only stand to reason and make common sense that the parents should at least be advised that there is a problem and that the minister is taking corrective action or some steps are being taken. Why was that not done?

Hon Mr Beer: We encourage very highly parent participation in all of the day care centres and operations that we fund. Under the guidelines that we have been working on now through the better part of this year, we are ensuring that everyone is aware of exactly what the situation is in the day care. Previously we sent out a poster which sets out, so that parents may see clearly upon entering the premises, the checklist of all the different things that are supposed to be there and be available.

As I said before, we recognize that in the past, with the tremendous growth, there have been some problems, but we believe we have specifically addressed the points raised by the auditor and indeed have taken action on those earlier this year.

COURT FACILITIES

Mr Pope: My question is to the Premier. The 1989 annual report of the Provincial Auditor clearly indicates this government's lack of commitment to the justice system of Ontario. Two of the worst problems referred to in the auditor's report involve the lack of safety measures in our courts and the underutilization of existing and new courtrooms. Even in our busiest cities, where the backlog of cases awaiting trial has risen to 15,000 in 1988 and criminal cases awaiting trial for more than 18 months has risen

to over 600, our courts in those busy centres are being used for only two and three quarter hours a working day.

How can the Premier justify justice denied to the people of Ontario by delays and, at the same time, the availability of empty courtrooms?

Hon Mr Peterson: I think the Attorney General could help out my honourable friend.

1420

Hon Mr Scott: There is great utility in the Provincial Auditor's report, because he finally puts to rest the assertion that additional courtroom resources are needed in Ontario. That is a point I have been trying to make to the House and to my friends for four years: what is required is not new courtroom resources but better utilization of the resources.

The practical difficulty here, as the honourable members would know if they would listen, is that the matter of assigning judges to a courtroom or to a trial is not a matter over which the administration of justice has any control whatever. It is a feature of judicial independence, and only judges can assign judges to courtrooms or cases. We are working with the judges in our new regional system to try to improve utilization.

Honourable members will be interested to know that the two drug cases in the district court that were dismissed two weeks ago because of charter delays did not represent a shortage of resources; they represented a failure to assign judges to cases. This is a problem that we have to work with, but it is almost entirely a question of judicial independence.

Mr Pope: Now that we have established that the Attorney General's answer to the auditor's report is to blame the judges, the Provincial Auditor finds something very different. He finds that the problem is a lack of commitment of the Attorney General to a proper utilization of our court facilities. Because of that, we have courtrooms being used on average, in our busiest centres, for two and three quarter hours a day.

Not only that, we have the Attorney General with not even a system of monitoring courtroom use or assigning courtrooms more properly, for better usage, for the use of the citizens of the province of Ontario.

The Speaker: And the question might be?

Mr Pope: He had no summaries of information available in his ministry for the Provincial Auditor to detail courtroom use, he had no information available about the lack of security provisions in these courts and he had no way of

monitoring their usage. That is the failure. How can the Attorney General justify it?

Hon Mr Scott: The honourable member, as usual, is quite wrong. The auditor has noted that the court security bill passed by the House will take care of the security problems. He makes that observation himself.

The second thing, which I will plead guilty to, is a failure of monitoring. He recognizes that we are moving in that direction. But what I want the honourable members to understand, because they press me about it all the time, is that new courtroom and physical resources are not what are required. The auditor has made that point plainly. If members of the third party keep coming to me asking for more courtrooms for their districts, they can eat the auditor's report. He has finally made a point I have wanted to make here effectively for years.

In his overall assessment, he says: "The government of Ontario is being satisfactorily administered overall. This view is consistent with that expressed in the past few years." What he means is the past four years, and what he means is that when those political palaeoliths were thrown out of office, we finally got started on administering the government of Ontario.

Mr Pope: Now we have the Attorney General rewriting the auditor's report for his own purposes. It is clear when we are talking about the failure of utilization of the justice system, delays in the justice system, he is not telling the opposition members to eat the auditor's report, he is telling 15,000 litigants in this province who have to wait for a trial that they can eat the auditor's report; he is telling people who are concerned about 600 criminals awaiting trial that they can eat the auditor's report.

The failure of the courtroom security system in this province is not the fault of municipalities, whom he foisted the responsibility on, it is the Attorney General's fault.

The Speaker: And the question might be?

Mr Pope: Between 1987 and 1988, courtroom security procedures declined by 50 per cent, from 216,000 searches in 1987 to 112,000 searches in 1988, at a time when seven times more dangerous weapons were being—

The Speaker: Do you have a question?

Interjections.

The Speaker: Order.

Hon Mr Scott: I love these days when the member for Cochrane South (Mr Pope) comes to town. It makes me feel great, and I want to thank

him for his questions because they make the week go faster.

As he will want to know, the auditor notes that a new act has been passed that is going to deal with courtroom security for the first time in the history of this province. When I was practising in the courts, we had a government that sat around here for 42 years and did nothing. We have introduced a regional system, a new security act, merger of the courts, and I admit my friend was only Attorney General for six months at the end of the regime, but nothing was done over all that time.

Progress is being made, and if the honourable member wants to know what a political palaeolith is, it is an extinct, historic, out-of-power animal.

The Speaker: Order. Would the members please allow another member to ask a question. Thank you.

YORK REGION LAND DEVELOPMENT

Mr D. S. Cooke: I would like to go back to the Premier. Since he did not answer the question that I asked a few moments ago, could the Premier tell us today whether he was involved at all in the decision-making process either prior to the 1 February meeting or after the 1 February meeting when the final decision was made not to call a public inquiry into the dealings between York region developers and politicians? What was the Premier's involvement in that process of determining there would be no public inquiry?

Hon Mr Peterson: After the police investigation concluded, and as I said to my honourable friend, I think that was in May or June, there was a decision made, and I was aware of it, to leave it at that. There was nothing else that could be done in the circumstances, barring some new evidence or some new proof. If the member has any new proof, why does he not stand up in this House and tell everybody about it and we will investigate it?

Mr D. S. Cooke: All we have been saying in the past few days is that we accept the recommendations from the Ministry of Municipal Affairs that there should be a public inquiry. The Premier and his bureaucrats and his minister are the ones that are involved in a coverup not to get the facts out about what is going on up in York region.

Yesterday the Premier indicated that he was not aware of the 1 February meeting. Today in the *Toronto Star*, when Mr Ashworth's lawyer was asked whether the Premier had been made aware of that meeting, asked whether the Premier was involved in the decision-making process

surrounding the 1 February meeting, Brannan, the lawyer representing the Premier's former employee, quoted Ashworth as saying, "No comment."

Is it not very clear that what Mr Ashworth is saying is that the Premier was involved in the decision leading up to the 1 February meeting? He was aware of it and his staff had done their job; they had advised him. He was aware of it.

The Speaker: Order. The question has been asked.

Hon Mr Peterson: My honourable friend takes licence, he takes liberty, he believes that by standing up in this House he can draw his own conclusions, and I think he is entitled to do that, but just because he says something does not mean it is correct. As a matter of fact, I find a lot of the things he says are incorrect on many, many occasions; fraught with hyperbole and exaggeration and accusation.

Frankly, he is quite wrong in the circumstances. He has got the right, I guess, he is over 21, to stand in this House and say anything he wants, to draw his own conclusions even if he is wrong, which I find frankly he consistently is.

1430

MINISTERIAL SPENDING

Mr Brandt: My question is to the Premier, and I trust that this will not be fraught with hyperbole and exaggeration. I trust as well that the Premier will read page 28 of the Provincial Auditor's report which states that the expenditures "demonstrate"—it is at the bottom of the page, to save the Premier some time—"a lack of respect for taxpayers' funds," which is something we have been saying about this government for some time.

I wonder if the Premier could perhaps inform the House who the ministers were who were engaged in these rather questionable activities: \$6,300 for a staff Christmas party, \$3,700 for a retirement dinner and \$1,100 for a membership of a social club? If the Premier wants more, I have them. I would like to know the answer to those three.

Hon Mr Peterson: The Attorney General tells me he could answer that question.

Hon Mr Scott: I want to tell the honourable member that the Christmas party was a Christmas party held by the Ministry of the Attorney General, parallel to one held by every ministry in government, for which the bill was sent to the minister's office rather than to the ministry. That

bookkeeping error was corrected, and the ministry paid for its Christmas party like any other.

The retirement dinner was a dinner held for the judges of the Supreme Court of Ontario, which was attended by the member for Rainy River (Mr Hampton) and a member of the Conservative caucus, and is one of a series of annual dinners that are given every year, not in respect of retirement, but to the judges.

The last item is the social club fees. The university club fees, where I entertain for the ministry, were billed to the minister's office and were paid. That was corrected years ago, but it was an oversight; it should not have occurred. It was an invoicing error, and I am grateful that the auditor brought it to our attention.

Mr Brandt: It is so nice to hear the Attorney General fess up once in a while as to what is going on in his ministry.

Since this question has been referred by the Premier to the Attorney General, maybe he could also enlighten the House as to which minister, Toronto-based, was so insensitive as to charge the taxpayers of Ontario over \$400 for dry-cleaning bills, when that is clearly in opposition to anything that is ever allowed to any minister. Was that the Attorney General again or was it someone else because, quite frankly, his clothes do not look that good?

Interjections.

The Speaker: Order. I thought maybe it was the Attorney General's tie the other day.

Hon Mr Scott: Some honourable members may recall that in 1985, when the new government was elected, a poll was done in the press gallery to determine who was the best-dressed member of the House—

Mr Brandt: And it wasn't you.

Hon Mr Scott: As a matter of fact, it was me.

Interjections.

Hon Mr Scott: I have been in government four years, and I can only speak for the Treasurer (Mr R. F. Nixon) and myself when I say that neither of us has had any pressing done in the entire period of time.

But I do want to draw the honourable member's attention to the useful work the auditor does, and I will speak to the university club fees because that is my responsibility. What should be noticed is that it really is an appropriate observation but not a criticism to say that the ministry's Christmas party, because it was misinvoiced and the judges' annual dinner, because it was misidentified—

The Speaker: Thank you.

Interjections.

The Speaker: Order. New question, the member for Lake Nipigon.

NORTHERN HEALTH SERVICES

Mr Pouliot: My question is to the Minister of Health regarding the very serious nursing shortage in Ontario. Last week the minister indicated that she felt comfortable with a vacancy rate of some two per cent. With respect, I think the minister is simply playing with numbers, for in northeastern Ontario at present the vacancy rate—the shortage of nurses—is in the magnitude of 5.5 per cent and in the northwest it is 5.1 per cent.

As the minister responsible for health care in the province, what specific plans does she have to correct or alleviate to some extent this serious problem in northern Ontario?

Hon Mrs Caplan: As the member opposite knows, I have travelled extensively through northern Ontario on a number of occasions since becoming minister. I know he is aware of my understanding of the issues of remoteness and geography and of the special challenges of delivering health care services throughout northern Ontario.

One of the reasons I established the northern health manpower committee was to look at seeking the advice of people who live in the north as to how we can meet those challenges. I want him to know as well that a number of innovative programs are under way via the underserved area program which are looking at how we can offer the kinds of incentives for individuals, whether they are in nursing or in other areas of health care, such as physiotherapy, occupational therapy, speech pathology, audiology, chiropractors and so forth, as well as others, to offer services throughout northern Ontario.

Mr Hampton: More fluff. The point is that the nursing shortage in northeastern and northwestern Ontario has gone on now for over two years. In fact, the numbers are slightly better, a little bit better. But in northwestern Ontario alone there is a shortage of 59 nurses. The shortages occur most frequently in acute care and critical care.

The minister said she now has the northern health manpower committee. That committee was announced last November. The people appointed to it were not appointed until July and, to our information, it has met only once. What is the minister going to do? Offer us more fluff? These are real shortages. These are people who

are going without acute care and critical care because there is a shortage of nurses. She is in charge. What is she going to do?

Hon Mrs Caplan: I would say to the member opposite that if he were to look at this situation fairly, he would acknowledge that while there is much to be done, we are making progress. We have got some of the very best advice possible through the northern health manpower committee, which has met. The member knows as well that we have a number of programs to ensure that people of northern Ontario have access to the services they need.

I am not saying there is not more to do. Of course there is. The challenges the north poses to us are challenges of remoteness and geography, and the fact is that we must do much better in overall manpower planning, human resource planning, in all aspects of health care in this province.

I want him to know of my commitment to ensure that we review the needs of northern Ontario, as well as the needs of southern Ontario, as we develop policy initiatives, because of my commitment to make sure the people of this province have equity in access to effective and quality health care as close to home as possible.

TRAVEL EXPENDITURES

Mr Harris: I would like to stick with questions to the Chairman of Management Board on the Provincial Auditor's report. The Chairman of Management Board will know that the guidelines for rental cars call for the renting of compact and subcompact cars. I wonder if the minister can explain why the auditor's report turns up, not isolated cases, not the odd one—by that, I interpret him to mean not just the Ministry of the Attorney General, which the auditor seems to expect to be over on everything and to violate the guidelines—but numerous instances where Cadillacs, Lincolns, Fifth Avenues and those kinds of cars have been the rule of the day on numerous instances.

I wonder if the minister can explain that. Also, at the same time, on a similar related matter, can he explain why, for hotel rooms, the government rate was not even asked for? I see in here 18 occasions at \$100 a night in North Bay, where he would know the government rate is nowhere close to that for any hotel anywhere in my city.

The Speaker: Thank you. Did that include your supplementary?

1440

Hon Mr Elston: With respect to North Bay, I can tell the honourable gentleman that particular

rental was for a judge, not a government employee. The member knows that the judiciary is independent. A number of the rentals which have been noted were for members of boards and agencies. That is no reason for us to refuse to look at how we can ensure that people rent proper cars, for sure, but I ask the honourable gentleman just to note that the independent nature of some of our organizations makes it somewhat more difficult to pursue adherence to the guidelines.

However, we are pursuing that. We have seen, for instance, in the auditor's report that our activity level on that is progressing quite well, beyond where it was when we first came into office. We wish to have accountability not only with respect to the guidelines for rentals of cars but also for the transfer payment agencies about which the auditor says we have done good things.

Just to put this in context for the people of the province, I want to note the auditor has said that we have improved in our administration, that we have taken seriously the points which he has shown to us in the past could be rectified and improved. We are making progress, substantial progress, but we likewise are not perfect; we are working on that, and we are making very good progress on that.

Mr Harris: The minister smiles and the Attorney General (Mr Scott) laughs at some of these expenditures because individually they do not seem large. But the auditor says, "Collectively, then, these findings are significant and demonstrate a lack of respect for taxpayers' funds."

Can the minister explain to me why he cannot have a policy that no minister, no member, no employee of this government will ever be reimbursed in excess of the amount of the guideline for a government rate for a hotel, a compact car or a subcompact car? Why can he not have a simple policy that says, "You might have spent more, but we are paying you only the government guideline"? Why can he not do that?

Hon Mr Elston: Lest the people get the wrong impression from the way that gentleman interprets our role over here, we have been very keen to fix up practices which we did not find to be completely acceptable. We have done a revamping of the way in which we tender contracts. We heard about consulting contracts before. We have dealt with the issues about the problem of not providing timely decisions about bringing capital projects into place for sewage and water, for dealing with outstanding issues.

We have dealt with improving, updating and upgrading the guidelines in a manner that is

practical and enforceable, and when somebody brings to our attention that we can improve, we agree; we can improve. We have made wonderful, good, grand strides towards improving our accountability. The auditor has indicated that he would rate us as 7 out of 10, and that is good. It is a good performance, but it is not good enough, and we will do better. I can tell the member, we are doing a lot more with the money we are spending on a comparison basis than those guys every thought was possible, and we will continue to improve. We are not perfect but we will enforce our guidelines.

UNATTENDED VEHICLES

Mr Owen: I have a question for the Minister of Transportation. In June 1988, a young man by the name of John Wolfe was killed in a hit-and-run incident in Barrie by a person who was driving a stolen vehicle. The vehicle had been left unattended and with the keys in the ignition.

There was an inquest, and a recommendation of the inquest read as follows: "That the Minister of Transportation add the following to the Highway Traffic Act: that it be an offence to leave keys in an unattended vehicle on either private or public property, resulting in the loss of points and a fine."

My question to the minister is, would he consider this or a similar amendment to help deter future loss of life and property?

Hon Mr Wrye: Very clearly, the incident that the honourable member raises is a very serious and very tragic instance of a really terrible loss of human life through the recklessness of another individual. I have asked my officials to take a look at the issue very carefully, and I thank the honourable member for raising the issue for us so that as we bring forward our next amendments to the Highway Traffic Act, we can determine whether this would be an appropriate amendment.

I think very clearly the honourable member and other members of the House would recognize that there is a measure of not wishing to interfere in terms of vehicles and private property; indeed, not wishing to interfere in an area where to do so really does not enhance, other than in a single situation, the issue of public safety.

I would much prefer to begin to work and continue working on a number of educational programs which are designed to convince the public that leaving keys in an unattended car is very injudicious and very dangerous.

Mr Owen: The family of this young man is very well known and respected in the Barrie area. They feel that their son and brother would be alive today if it were an offence to leave keys in an unattended vehicle. They realize that passing such a law would not bring John back, but they feel it might save someone else's life.

I agree with their opinion that the kind of person who would steal a car might well be one who would drive that same car in a reckless manner, and I would ask the minister if he could address this particular problem and try to help someone else's life in the future.

Hon Mr Wrye: I can only say to the honourable member that, as we bring forward further amendments to the Highway Traffic Act, we are going to review the matter and the very serious recommendation that the coroner's jury put forward. As well, we are going to look at the experience and whether there are precedents in other jurisdictions.

I say to the honourable member that at the very least it is our view that additional education measures are necessary. Certainly at the very least drivers who leave keys in unattended cars are leaving themselves open to theft, a lot of additional heartache for themselves and police work, and at the very most we end up with situations such as the very tragic situation in his own constituency. So we are looking at additional educational efforts.

CHILD CARE

Mr Allen: I want to take the Minister of Community and Social Services back to the Provincial Auditor's report and the section dealing with day care.

The minister will know, since he has seen the report and had an opportunity to review it in advance, the auditor notes at one point that "one third of the licences issued were unrestricted even though the program adviser had explicitly identified areas of noncompliance with the legislation." The report then goes on to cite two cases, and then further on 22 more centres which were not in compliance for periods of three, four and five years even though the noncompliance had to do with quite serious matters.

There were regulations in the past; they were not enforced. The minister sent out a poster last year; he is sending out a letter now that will advise that regulations are going to be tightened up and they will be enforced. But how can we really believe that anything is going to change?

Hon Mr Beer: As my colleague has pointed out, we have instituted new procedures. These

are, I think, open and public. There will be plenty of opportunities to ensure that we are following the practices that we have put forward. I certainly want to make that commitment not only to members of the House but to all the people in the province who are using day care facilities.

As I said in answer to an earlier question, we recognize that over the past few years, with the tremendous growth of the system, there have been some problems in terms of the management of the system. One of the things we are trying to address as specifically and clearly as we can is the issues which the auditor has raised and which others have raised to ensure that this kind of situation is not repeated.

Mr Allen: We have heard, as parents have heard, those kinds of commitments from previous ministers in the past. There have been regulations in the past, quite clearly. Presumably the minister made some attempt to get the regulations out into the field so they would be known about and they would be complied with, but they were not and nothing was done for years on end.

Perhaps the minister should tell us, what is his new budget and how much improved is his budget for enforcement and how many more of his personnel are going to be thrown into the task of enforcement? What new resources is he throwing into this task so parents can be absolutely clear that the new regulations, unlike the old, will be enforced?

1450

Hon Mr Beer: I think that what we have done in terms of the directives that went out several months ago regarding these procedures—that they are, in fact, being followed and are being carried out.

In terms of our commitment to a future program, as the member is aware, we are at work now on the second three-year cycle for child care and will be addressing that issue in the new year in the House. But these specific directives which are in the auditor's report and in the statement I made last week, I think, are our public commitment to everyone in the province that we are going to be following up with each centre to ensure that these initiatives are followed.

LONG-TERM CARE

Mr Eves: I have a question of the Minister of Health arising out of the Provincial Auditor's report. The auditor's report clearly identifies a particular matter at York-Finch General Hospital—on page 47, to be helpful to the minister—stating that approximately 15 per cent

of all beds in York-Finch General Hospital were occupied by chronic care patients when, in fact, it is designated solely as an acute care hospital. The auditor's report goes on to point out that this led to a loss of funds for the hospital and a loss of service, in terms of health care, to the community.

Some of those patients, 15 of them to be exact, were chronic care patients that were in York-Finch General Hospital for over a year. How is it that her ministry was unable to find appropriate chronic care placement for those patients?

Hon Mrs Caplan: The member opposite once again displays his lack of knowledge about how the health care system works overall and the relationship between the ministry and the hospitals. He knows, as well, that we have undertaken a review of long-term care and an acknowledgment that in fact there is today a fragmented and unco-ordinated approach to long-term care. He knows that the York-Finch General Hospital provides services as a transfer payment agency and that one of the things that the ministry has undertaken to support hospitals in delivering services is the establishment of such things as central bed registries so that the hospitals will know what services are available in different hospitals across this province.

Mr Eves: In conversation with the auditor's staff during the lockup, some of our researchers were told that the York-Finch General Hospital situation is not unique. Many hospitals in Metropolitan Toronto, and in fact I believe the exact quote of the auditor's report is 148 out of 223 public hospitals in the province, have chronic care patients in their systems, when they are supposed to be providing acute care. As the auditor has pointed out, this not only results in loss of funds to those hospitals, but it results in a loss of very basic health care service to the community that those hospitals are supposed to provide.

Well, the minister shakes her head. The auditor disagrees with her. She can tell me I do not know anything about it. Is she going to tell the auditor that he does not know anything about how the health care system works either?

The Speaker: Is that your question?

Mr Eves: Will she not now admit that she has made a mistake? She should reinstate her commitment to deliver those extra 3,000 chronic care beds that the Premier (Mr Peterson) said were necessary during the 1985 election campaign and that the auditor has confirmed again today are necessary.

Hon Mrs Caplan: I would say to the member opposite that the fact that there are people inappropriately placed, whether they are in acute beds or in chronic care beds or in nursing homes or in homes for the aged, is in fact one of the challenges that face us here in the province of Ontario. That is one of the reasons that what we have instituted in a review of long-term care is to start focusing on people and the services they need and all the alternative ways that those services can be provided.

Many, in fact most, of the hospitals in this province experience the frustration of finding services that could be provided in alternative ways, whether they are inpatient services that could be provided on an outpatient basis or those services which could be provided in alternative ways right across this province, and we are working with them to identify those opportunities so that we can use our resources more effectively to ensure that the care the people receive is, in fact, appropriate.

The Speaker: It appears to me that there are quite a few conversations taking place.

Mrs Marland: Well, the answers are so boring.

The Speaker: Order. I did not recognize the member for Mississauga South.

ORGAN DONATIONS

Mr Kanter: I have a question to the Minister of the Health. The issue of organ donations has once again been highlighted by the decision of the family of Olympic swimmer Victor Davis to donate his organs so that others may have a second chance at life. As the minister will recall, last April this House adopted my private member's resolution to encourage organ donations in Ontario. Could the minister tell us what initiatives have been taken by the government to increase the awareness of the public about the need for organ donations?

Hon Mrs Caplan: First, I would like to commend the member for St Andrew-St Patrick for his efforts to increase awareness in the public on this very important issue. I think all members of the House recognize the importance of increased awareness for organ donations. He knows that the ministry is funding the multiple organ retrieval and exchange program, referred to as MORE. It is expected that this initiative will be operational by January. It will be the first of its kind in Canada, and we are confident that in fact it will help those who need organ transplants in this province.

Mr Kanter: I appreciate the information about the MORE program, which is designed to help in the retrieval of these organs. As the minister will recall, during the debate I made a specific proposal calling on an amendment to regulations under the Public Hospitals Act so that attending physicians would be encouraged to ask some questions to have more potential donors under appropriate circumstances in hospital. Can the minister advise whether she has made any progress on amendments to the regulations under the Public Hospitals Act to encourage the supply of organs for donations?

Hon Mrs Caplan: I want to say to the member and to all members in this House who participated in the debate that we took very seriously the discussion and the debate that took place at that time and that we have proceeded to draft regulations which would provide for the establishment of protocol and procedures in hospitals to encourage the donation of organs and tissues.

I am pleased to inform the member that in fact we are in the final stages of consultation and that the legislative counsel has informed us of suggested revisions. We will be discussing this with the Ontario Hospital Association, the Ontario Medical Association, the staff of MORE itself, the Ontario Nurses' Association and the Registered Nurses' Association of Ontario, because we want this regulation to give us the result to improve access to organ retrieval in this province.

I want to acknowledge the contribution that the member opposite has played in this most important issue and say that we hope to see this regulation in place in the very near future.

LENGTHS OF TRUCKS AND TRAILERS

Mr Pouliot: The Minister of Transportation plans to allow extra-long trucks on our overcrowded highways. Officials at both CN and CP are saying that his decision could possibly kill the railways. The Ontario Provincial Police are saying that his decision will make a bad situation worse. Officials at the Canadian Automobile Association are predicting that we shall have more fatalities on our highways and more people will be badly injured.

Last month—and I have been watching the minister very carefully—I remember very vividly that the minister mentioned that he was against longer trucks for safety reasons, and now he has changed his mind. Why did he do so? Who got to him?

Hon Mr Wrye: I think it is interesting to hear the point of view that is offered by the honourable

gentleman and the point of view that he offers that he suggests some people are saying.

I would only say to the honourable gentleman that the decision we have taken makes Ontario no longer part of what I would call a regulatory island. The honourable member would know that some 35 states already have exactly the same kind of trucking length regulations as we have proposed. The honourable member would also know that the proposal which we are suggesting we will put in place is now present in four western provinces and in the province of Quebec.

The honourable member will further know that since we brought in the safety code earlier this year, the levels of compliance have improved quite dramatically, so consequently some of the safety concerns which existed earlier are no longer present.

1500

Mr Pouliot: Mr Speaker, tell me, why should I take the word of the minister against the word of the Provincial Auditor or the words of a police officer?

The Speaker: Is that your question?

Mr Pouliot: This is what his safety record is: In 1988, 22 per cent of trucks inspected were removed from the highways. The Provincial Auditor says that. Last week, at one scale station on Highway 400, more than 20 per cent out of 300 trucks were told to get off the highway. The minister cannot even police what he has at the present time, and because of a lobby, with respect, the minister wants to make the situation worse. When will he simply come to his senses, do what is right, consult with those associations and say no to expediency?

Hon Mr Wrye: The honourable gentleman raised a couple of interesting points in the course of his question. He suggested we had, in the course of his first question, an overcrowded highway situation and that this would make it worse, and he suggested that again. I would just point out to him that a number of large businesses which now use the highways with their trucks not only say that there will not be an increase in the number of trucks as a result of this proposed change, they are talking about reductions of the number of trucks that they will be needing on the roadways of 10 per cent to 15 per cent. So rather than going up in numbers of trucks, we are actually going to go down.

As well, the honourable member continues to raise the issue of safety concerns, and I acknowledge that the honourable member and my friends at the CAA and others are quite

correct to be worried about ensuring that safety is the absolute, number one result of this change. I can only say to the honourable gentleman that where those same regulations are in place in the United States, in 35 of 50 states, there is no—

The Speaker: Thank you.

Mr Pouliot: That is incorrect.

Interjections.

The Speaker: Let's relax just a little bit.

CONSULTING SERVICES

Mr Jackson: To the Minister of Health: Today the Provincial Auditor's report makes reference to about a 90 per cent increase in the amount of money spent by the government on consulting fees. Could the minister please confirm or deny that she or members of her immediate staff or members of her ministry engaged a consulting firm specifically for the purposes of developing a strategy to combat the exposure of her government's failure to honour its election commitment for 4,400 new beds in the province of Ontario? Will she confirm or deny whether or not she has commissioned such an activity to assist her to defend against that election promise she has broken?

Hon Mrs Caplan: In fact, I would say to the member opposite that from time to time in a number of different areas we seek advice, as he heard from the Chairman of the Management Board of Cabinet (Mr Elston), to give us the expertise, whether it is in planning for new facilities or for a number of different areas. I cannot specifically mention to the member any or all of the areas of expertise which the ministry goes out to determine for it, but I would be pleased, in fact, to look into his request.

PETITIONS

LIQUOR STORES

Mr Wildman: I have a petition signed by approximately 450 residents of Algoma and Sault Ste Marie. The petitioners are petitioning the Ontario government to continue the operation of existing D-class liquor stores in northern Ontario, particularly in small communities in northern Ontario, rather than replacing them with agency stores. I support the petition and I have affixed my name thereto.

CHRONIC CARE

Mr Dietsch: I have a petition to the Lieutenant Governor and the Legislative Assembly from concerned citizens in the Niagara region who wish to express deep frustration to the Minister of

Health. The petition outlines some of the long delays in waiting for relocation of loved ones, the chronically ill patients suffering under poor physical conditions at the general hospital, and they request immediate attention to this situation. It is signed by some 5,138 constituents of the Niagara region.

REPORT BY COMMITTEE

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Pelissero from the standing committee on general government presented the committee's report and moved the adoption of its recommendations.

Mr Pelissero: The report deals with the acid rain abatement programs. On 6 June 1989 a motion directed the committee to review the final progress reports of the Ministry of the Environment with respect to Inco, Falconbridge, Algoma Steel and Ontario Hydro. Subsequently, the committee met on 15, 22 and 29 June and, finally, on 9 November to discuss its findings. I would like to present the report at this time.

On motion by Mr Pelissero, the debate was adjourned.

INTRODUCTION OF BILLS

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT LA LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

Mr Elston moved first reading of Bill 84, An Act to amend the Freedom of Information and Protection of Privacy Act, 1987 and certain other Acts in respect of Confidentiality Provisions.

M. Elston propose la première lecture du projet de loi 84, Loi portant modification de la Loi de 1987 sur l'accès à l'information et la protection de la vie privée et de certaines autres lois en ce qui concerne les dispositions qui ont trait au caractère confidentiel.

Motion agreed to.

La motion est adoptée.

Hon Mr Elston: Very briefly, this bill is required under the legislation and in fact has not only had substantial input from the various ministries involved with freedom-of-information issues around confidentiality but also has come out of a process of consultation with the committee of the Legislature and I think substantially complies with recommendations given.

There may be one or two areas that we will have other discussions about, but generally speaking, I think we have complied with the wishes of the committee, and I look forward to having some time with it to study the areas about which there may still be some minor disagreements.

INTERVENOR FUNDING PROJECT AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT LA LOI SUR LE PROJET D'AIDE FINANCIÈRE AUX INTERVENANTS

Mr Chiarelli moved first reading of Bill 85, An Act to amend the Intervenor Funding Project Act, 1988.

M. Chiarelli propose la première lecture du projet de loi 85, Loi portant modification de la Loi de 1988 sur le projet d'aide financière aux intervenants.

Mr Chiarelli: At the present time, the Intervenor Funding Project Act provides that public interest groups may apply for intervenor funding for Ontario Energy Board and Environmental Assessment Board hearings. The purpose of the proposed amendment is to extend application of the act to public interest groups appearing in major Ontario Municipal Board hearings and to include municipalities as eligible funding sources.

Motion agreed to.

La motion est adoptée.

1510

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance.

The Speaker: The member for Leeds-Grenville, I believe, was in full flight on the previous occasion and may wish to continue.

Mr Runciman: I have had some time to calm down now, so it may take me a few minutes to get into full flight again, but I certainly appreciate the opportunity to continue with my comments with respect to Bill 68 and express the concerns certainly of my party, the Progressive Conservative Party of Ontario, with respect to this legislation and, I hope in any event, the growing concerns among the people of Ontario.

The member from Oakville is not present. I was talking about my understanding of the

dilemma that insurance companies in this province find themselves in with respect to insurance initiatives undertaken by this government in the past number of years. It has been a rather chaotic situation, to say the least, where the government really has had no agenda, no vision of where it wanted to go with respect to auto insurance, let alone a number of other issues that I could raise as well.

But we are dealing with auto insurance specifically under this bill, and I simply want to once again suggest very clearly that this government, up to this point in time, has really had no idea of where it wanted to go. It had an ill-thought-out, off-the-wall kind of promise made by the leader of its party, the member for London Centre (Mr Peterson), during the September 1987 election, and then it fell upon the shoulders of the bureaucracy to try to come up with some way of meeting that promise.

Of course, as we now realize, that was an impossible task to assign to anyone. We have seen increases in auto insurance over the past two years in the approximate area of 20 per cent. We have seen insurance companies lose significant amounts of money because of the activities of this government, the speculation on the changes earlier this year where insurance companies lost in the neighbourhood of \$150 million to \$450 million. Those are the figures that I have heard bandied about.

So again I am expressing some degree of understanding of the industry's support for this no-fault initiative introduced by the government. We know that the industry is going to gain a significant amount of money: tax and OHIP relief in the neighbourhood of \$150 million and other benefits that will flow to the insurance industry, in the neighbourhood of approximately—according to Professor Jack Carr of the University of Toronto—\$630 million. That is using the 90 per cent figure in terms of the threshold that the government is standing by. But Mr Carr and others believe that, in effect, close to 95 to 97 per cent of accident victims in this province will not be able to pass the threshold outlined in this piece of legislation.

In effect, the real windfall to the insurance industry in this province would be perhaps more in the neighbourhood of \$1 billion. I guess that we can appreciate the industry being relatively quietly supportive of this, because obviously it does not want to go running around the province saying this is the greatest thing since sliced bread, because insurance industry spokespersons are not generally received too well by the

population at large. If they come out too vigorously in support of this measure, perhaps the population at large may be more cognizant of the concerns with respect to whether or not this is indeed in the best interests of Ontario consumers and motorists.

But again, as I said, the industry currently is dealing, as we all are, with a large majority government that is going to be in office for approximately another two years. They are the guys whom we have to deal with, whom the industry has to deal with. They are going along with this in a rather comfortable way, but I have suggested to them that they do not let down their guard. This is a government and this is a party that will have no reluctance whatsoever to move to government-run auto insurance if they think it is in their political interest. In short-term interests that may be the case. We have seen so many instances—not only auto insurance; we can go down through a host of issues—where the government has acted in what it views as its short-term political interests and, “To hell with the long-term interests, we’ll deal with them when they arrive.”

That is indeed unfortunate. We certainly see it in the growth of the province's debt. And I am not talking about annual deficit; I am talking about the growth of the debt which this government, in unprecedented economic good times, has not reduced, has not cut into, but instead has built up over the past four years.

I was trying to urge the industry especially to be cautious, to continue to be on guard with respect to this government. I was, members may recall, pointing to the tendencies of this government and certain key players in this government to be supportive of intrusive legislation, legislation that will enable the government to intrude in a significant manner into the private sector, as they have done in auto insurance with the establishment of the rate-setting board back in the fall of 1987 and as they have done in a host of other areas. They have no reluctance whatsoever to intrude in a significant fashion into the private sector.

This government is interventionist. We have a socialist party sitting off to my right, but I guess perhaps, in the most generous way I can, I can describe the current Liberal government as a quasi-socialist party. They have no reservations, as I have suggested to the Attorney General (Mr Scott), a former fund-raiser for the New Democratic Party. We have a range of members sitting on the back benches who have served loyally and

for a long period of time for the socialists of this province.

I mentioned the member for Oakville, and I want to be fair to her. I suggested that when she ran for the Liberal nomination there was quite a tug of war at the time between the NDP and the Liberal Party as to whom she would be a candidate for. She came over to me afterwards when the House adjourned and said that at some point a prominent Liberal by the name of Marc Lalonde had suggested that she might be a good Conservative. I want to put that on the record, that she has apparently been accused of being supportive of all three parties at some point in her life. I regret that the member is not here so that she could hear me putting that on the record.

The Deputy Speaker: Well, it is all related to Bill 68, is it not?

Mr Runciman: Just give me time, Mr Speaker; I tend to tie these things in as I go along.

I am pleased to read and hear over the airwaves that the minister has consented to public hearings on this bill. We have certainly, along with the official opposition, felt that was critical. We have had some objections expressed in respect to public hearings.

I said the member for Oakville and I want to clarify this. It is the member for Oakwood (Ms Hošek). I correct the record.

With respect to public hearings, we had some arguments presented earlier by the minister, that perhaps this was not necessary, that we had to get on with the task. But the reason, as I said, we are in this dilemma, this crisis with respect to auto insurance and the continuing loss of private companies operating in this field and continuing outflow of consumers from the private insurers into the Facility Association fund, is really because of the bad management, the crisis management of the government with respect to handling this whole matter.

We felt that it was critical. We are having a significant change that is going to impact on most Ontarians and it is important not only that people across this province have an opportunity to be heard and to express their view, their concerns, perhaps their support for this legislation, but also that the people of the province generally have a better opportunity to appreciate and understand the implications of this legislation. Obviously, I can only gauge this by the response in my own constituency office. There still is not a great awareness out there among members of the public about what the government is up to with this legislation.

No doubt that fits in with their agenda quite well. They are hoping that this is going to go by as a minor blip in terms of public awareness, that there is not going to be any great appreciation of the fact that what is happening is that they are going to see a reduction in benefits with an increase in rates. That is the reality. There are certainly some positive elements to this with respect to speeding up benefits, etc, but they are very much minor factors when you look at the total package, the total impact that this is going to have upon drivers and the consumers of this province.

1520

The member for London North (Mrs Cunningham), because of illness in her own family, is unable to be here this week and perhaps may not be here next week as we move towards conclusion of second reading on this bill. I simply want to say on her behalf that she is very strongly opposed to this legislation because of her own personal experiences, the unfortunate accident that her son was involved in some time ago.

Because of the current system, although it is not perfect, she was able to provide the necessary rehabilitation for her son. When one looks at the rehab benefits that the government is moving towards in this legislation, anyone who has really had an experience with the current system, despite all its blemishes and flaws, will indeed stand up and say: "Minister, I much prefer the current system. Let's make some minor modifications. Let's make some changes"—and we have suggested tort reform, which the government is doing—"but let's not throw out the baby with the bathwater." That, in essence, is what this government is doing.

As Justice Coulter Osborne said, we should be an exporter of insurance systems, not an importer. We have perhaps the finest system in the world currently in existence in this province. As Justice Osborne pointed out, some changes are required, some changes are needed to address the affordability question, to address a number of other issues—fairness, etc—but let's not throw out what is indeed perhaps one of the finest systems in the world.

The government in its ad hoc fashion has rejected the recommendations of Justice Osborne, which, by the way, cost the taxpayers in excess of \$1 million, and has rejected the recommendations of its own Ontario Automobile Insurance Board, which over its brief life cost the taxpayers in excess of \$10 million to have virtually all of its recommendations rejected by the government, a thing that certainly should

concern taxpayers of this province. But the message in many instances is not getting out, for reasons I am not quite sure of, but I guess that is one of the frustrations that goes along with being a member of an opposition party, when you recognize wrongs are not being addressed by the government and in fact are not even being recognized, for whatever reasons, by the public at large.

I wanted to put on the record the very serious concerns of the member for London North about the way the government is moving with respect to the provision of a no-fault plan based on her own experiences. Hopefully during committee hearings, or if indeed we get into debate on third reading—and I suspect we will—the member will at that point have an opportunity to very clearly put on the record her own very unfortunate experiences with respect to the accident that occurred to her son and with the insurance industry as a result of that accident and perhaps give all of us a better understanding, a first-person understanding of someone who has been down the road, who has really experienced the kind of situation where the current system, despite some time delays, has been clearly of benefit to her and to her family and, most important, to her son.

I also note, by looking at some of the clippings—which are increasing, I must say—with respect to the government's proposal, that the Consumers' Association of Canada has come out strongly in opposition to this measure. I do not necessarily share their reasons for opposition to this. They tend to be more supportive of the position taken by the New Democratic Party, which is for a government-run program, a pure no-fault program where everyone loses the right to access to the courts, which, I guess, is not only pure no-fault but pure socialism.

In any event, I have had some difficulty. I have a lot of good feelings about the Consumers' Association of Canada and the efforts it undertakes on behalf of the consumers of this province, the consumers of this country. I think members will note that over the past number of years it has experienced a significant reduction in contributions by the public. One of the reasons, I think, is that the consumers' association is regrettably becoming more and more politicized. In some respects, they could be accused of being—I will not use the word "mouthpiece," but certainly taking positions that have striking similarity to the platform planks of the New Democratic Party.

Mr Pouliot: Nice pink shirts.

Mr Runciman: Yes, as the member for Lake Nipigon says, "Nice pink shirts." I think he is not just referring to mine; he is referring to the ones that the members of the consumers' association are wearing these days.

I have expressed those views to the members, and I think they are sensitive to it with respect to their problems with fund-raising. It is one thing to take the position that is supposedly in support of consumers, but I think that perhaps they should be reflecting upon what is really in the best interests of the people at large rather than a particular segment of the population and trying to persuade them of the wrongness of their political views. Essentially, in many instances that is what we are getting into with the recommendations of the association.

I thought more important, from my perspective in any event, than the consumers' association's criticism the fact that Ralph Nader, who is the consumer champion of the United States, if you will, has come out foursquare against the government's proposal. Although one would accuse him, I suppose—certainly some American Republicans would accuse him—of being to the left of the political spectrum, I think that Mr Nader, in my view anyway, as best he can with his association, tends to be apolitical, tends to, for the most part—I am sure there are perhaps some instances when that could be changed—truly represent the concerns of consumers in the United States. I think it is significant that he has gotten himself involved. We have seen a host of other associations, groups and organizations also start to get involved in this effort to get the attention of the government with respect to the drawbacks that are inherent in this legislation.

Again, I am not optimistic that anything is going to occur. In one of the articles that I read recently it indicated that the minister was not about to change his mind, and I suspect that is indeed the case. I have been down this road for a number of years now as the critic for Financial Institutions. I went through the Bill 2 hearings process, which established the rate-setting authority with the massive intervention into the private sector, and witness after witness testified at those hearings with respect to some of the shortcomings of that legislation and the problems it was going to create down the road. But none of that testimony was listened to, nothing of significance changed with respect to the bill as it was introduced.

We had one amendment, dealing with discrimination, introduced by the NDP which was

supported by the government members. Our party did not support it because we knew at that time, and the testimony before us clearly indicated as well, that it was going to result in good drivers in the province being penalized while bad drivers would benefit and we would see groups like senior citizens facing rate increases in the neighbourhood of 80 and 90 per cent. That is what happened.

My point in all of this is that despite that testimony, despite reports commissioned by the ministry through a company called Mercer telling the government that this was going to happen, all of this testimony was completely ignored. So when the minister says now, before we even get into public hearings, that, "Nothing is really going to change. I want to get this thing on the books by spring of next year, get the insurance companies wound up and into this thing by the summer of 1990, so do not look for any significant changes," I give the minister credit. At least he is being honest up front that this public hearing process, for all intents and purposes, is going to be nothing but a charade.

But we are used to that. We can go through all kinds of legislation that we have had to deal with in the past two or three years where we have gone through this kind of process. The court security act is a recent one that comes to mind, where all kinds of witnesses are appearing before us, telling us about the problems inherent in this legislation. Those concerns are completely ignored and the government forges ahead, much to the detriment of the people of this province.

1530

That is what lies ahead with respect to this initiative. It is a clear indication of this government not having any agenda, not having any clear vision of where it wants to go, of what it ultimately hopes to achieve. It has been dealing with this on a crisis-by-crisis basis, trying to come up, as I have called it, with an overnight, seat-of-the-pants, ad hoc answer that will cool the political heat for a period of time. Then when the heat level begins to rise again, they will jump at some other short-term answer or solution.

They are hoping and praying that they are going to hit it lucky, that there is going to be some panacea out there with respect to placating the consumers of this province, but it is not going to happen. No-fault is not that panacea. It certainly is not. It is going to create all kinds of problems.

I gather that within the inner sanctum of the Liberal government the way they approach this is: "As long as this gets us over the hump, as long as this gets us past the next provincial election,

maybe we can fool the people again. We fooled them in 1987 and maybe we can fool them again. This will not raise its ugly head again until after the election, and with any luck we will return as a majority government."

I have to assume that is the reasoning behind this latest initiative. You look at the fact that Mr Justice Coulter Osborne at a cost of \$1 million plus recommended against this. You look at the fact that the Ontario Automobile Insurance Board at a cost of close to \$12 million of taxpayers' money recommended against this.

We hear rumblings—I find this somewhat difficult to believe but we hear rumblings—that the Attorney General is quite unhappy with this piece of legislation. He has been meeting with lawyers' groups across the province and has been indicating that he was ganged-up on in cabinet, that he was mugged in the cabinet corridors and that he has a great deal of difficulty with this legislation.

I take that with a grain of salt because we know the Attorney General is one of the perhaps three key people in the cabinet. If he was strongly opposed to this initiative, based on the recommendations of the board and Justice Osborne, I think his opinions would have had a little more weight than he suggests they had when he is meeting with groups concerned about this legislation. So I am taking this with a grain of salt.

I hope that the Attorney General is being honest and upfront with the groups he is meeting with, and that he is not saying one thing to lawyers and advocates for the disabled and something else when he is sitting within the caucus room of the Liberal Party of Ontario. Who knows? When we are talking about a piece of legislation that has such a significant impact on the people of this province, I would think that if the Attorney General feels as strongly as he is suggesting, or as I am hearing rumours he is suggesting, to private interest groups, to private sector groups, he should be stepping out of cabinet. That is my view.

He should not be sneaking around in the back rooms and meeting rooms of this province saying: "I do not agree with what my government is doing. I do not agree with what the cabinet decision was with respect to automobile insurance. I think this no-fault program is all wrong. It is going to hurt the people of this province. It is going to hurt the disabled. It is going to hurt innocent accident victims. It is going to hurt a multitude of people." If he feels that way, he should not be sitting in that seat any longer. He

should be removing himself from the executive council.

If this were a minor matter, I could understand a member of the executive council remaining in his seat and keeping his opinions to himself—cabinet solidarity. But we are talking about a significant issue that of course impacts on the lawyers, both defence and plaintiff lawyers, the group that he is among other things representing in this House as the chief law officer, as the Attorney General. It seems to me it is the kind of matter he should be expressing his views on publicly.

In any event, I am only suggesting that if that is the case and those are the views of the Attorney General, in my view it is incumbent upon him to make those views known publicly and I think that at that time it would perhaps also be incumbent upon him to resign his seat on the executive council. We do not see that happening and there is no question that sort of action would take a great deal of courage on his part.

We will just have to wait and see as this argument festers over the next month and a half and as more information comes to light. If his views are as we have heard, perhaps the committee may want to call the Attorney General as a witness. I do not think that is unheard of. If the Attorney General has some concerns and if the Liberal members of the committee that will be dealing with this in a public hearing process are so confident about the Attorney General's views, then they would have no reluctance whatsoever to see the Attorney General appear as a witness.

That would be most interesting. I am getting some affirmative head-shakes from across the aisle. I may be holding the parliamentary assistant to his head-shake. That was a yes, was it not? That was a yes.

Mr Ferraro: Whatever you want to call it is fine with us.

Mr Runciman: I want it on the record that the parliamentary assistant is being most cordial today and indicated that if the opposition is interested in hearing the Attorney General's views, he would probably have no difficulty with that.

Mr Ballinger: I thought he was just scratching his head.

Mr Runciman: No, he was not scratching his head, but I thank the member for his contribution to the debate anyway.

I want to talk about a couple of things the minister has well said in this press release, this press article. I want to put this on the record so

that it is there in case the minister tends to contradict himself in the next few months and that certainly would not be unprecedented. He has clearly indicated that there will be no interim rate increase.

I do not know about that. If the minister is truly concerned about the health of the industry in Ontario and wants to maintain a viable private sector with respect to the provision of automobile insurance in this province, that is something he may want to take another look at. I am not sure. This certainly has not been caucused or discussed by our party, but again we have some sympathy with the situation some members of the industry have in this province in terms of the shortfall in revenues, in terms of trying to meet the costs that are inherent in the provision of automobile insurance in this province.

I was told by an industry representative that his company alone would be losing in the neighbourhood of \$14 million to \$15 million, simply by a delay in this plan coming into being, if it was not allocated increases prior to the particular date that was earlier suggested; I think it was 1 March 1990. It will be interesting to see what transpires over the next period of time and whether the minister is able to keep that promise. He has to step aside from the political implications of any such initiative and take a look at it. If he is committed to maintaining a viable private sector in this province, perhaps he will have to review that decision, that comment, that commitment.

I talked at length about it two weeks ago, I guess it was, when we discussed this and I have also mentioned today my understanding for the position taken by the industry and its rather low profile on this issue, and the fact that if it could be publicly as supportive as it privately feels, that would in no small part, I suspect, lead to growing concern among the electorate of the province.

I want to talk again about the savings the industry is going to receive. We are using the figure of \$1 billion of windfall to the industry. I know some of them will take issue with that, but I am basing it on a study by Professor Jack Carr from the University of Toronto. As we know, on the record, the OHIP and tax savings are going to be in the neighbourhood of \$140 million. In our view and the view of most experts, including Osborne and including the auto insurance board, this plan, the threshold introduced by this government, is going to restrict access to the courts to probably 95 to 97 per cent of accident victims.

1540

I know that some of the savings to insurance companies Professor Carr outlined, the \$630 million which could be closer to \$800 million, will flow out to what we would have considered in the past to be at-fault drivers, rather than going to innocent victims or flowing to innocent victims. About a fifth of that, if I recall my figures correctly, will be outflowing to at-fault drivers.

I want to reiterate our difficulty with that as a principle and the whole concept of no-fault. We have a problem with the idea of individuals not being held responsible for their actions. That in essence is what no-fault is all about, an individual in society not being held responsible for his or her actions. As a party we have a great deal of difficulty with that concept. It certainly is a growing one in society and one that causes many of us concern. Everyone seems to have growing rights and diminishing responsibilities.

In essence, that is what we are doing with the auto insurance sector, removing responsibilities with the no-fault element and allowing the bad drivers, the bad actors in society to escape, if you will, responsibility for their actions. One of the ways they do not escape their responsibilities under the current system is through the rate structure and through the fact that the rates would increase significantly if there were bad actors on the highways and roads of this province.

A concern that is growing, one the minister has dismissed out of hand, is clearly identified in the Quebec experience and in a number of American jurisdictions, and that is the question of highway traffic safety. The study in Quebec I cited last week showed the incidence of highway traffic accidents increasing significantly, and perhaps more importantly, the incidence of highway traffic deaths increasing significantly under a no-fault process.

If we transpose the results of the Quebec experience into Ontario, we could be looking at an increase in deaths in this province in the neighbourhood of 100 additional deaths per year because of the encouragement, if you will, of the bad actors, the bad drivers in society to get back out on the road because of no-fault auto insurance, a lowering of premiums for those bad actors, a lessening or a reduction or a complete elimination in many instances of responsibility for their actions on the highways and roads.

That is a very significant concern, one that has been ignored by the government and one that the minister suggests is going to be handled by the addition of X number of new OPP patrol officers and a few other provisions that they are hoping to

deal with in terms of highway safety. Increasing fines is one of those provisions, which I gather we are going to see legislation on shortly, but that is another ruse to increase government revenues. I am not sure that is going to have much impact on highway safety, if you look at the government's record with respect to increasing virtually every licence fee it can get its hands on in this province.

We can look at the Liquor Licence Board of Ontario. They have increased fees across the board and all the licensing through the consumer and commercial relations branch in the neighbourhood of 400 or 500 per cent. Now they are going to do the same with highway traffic fines and they are going to say, "We're doing this in the interest of safety in the province."

What they are doing is that they are really interested in lining the pockets of this government, if you take a look at the way they have increased taxes 105 per cent in the past four years. We have talked about the way they have increased licence fees, the way they have increased all these various fees associated with government by 400 to 500 to 600 to 700 per cent.

The groups out there, such as the small legion groups that are trying to get special occasion permits, know what is happening and hopefully—from this side of the aisle I guess I have to say "hopefully"—that sort of thing is going to build up resentment among the people of Ontario that will ultimately result in the defeat of this Liberal government.

We want to talk a bit about the \$450-a-week provision. That \$450 is the maximum payment for loss of income under this plan if someone is involved in an accident and is unable to work for a period of time. We have some difficulty with that provision as well. I want to just use an example in Toronto.

A TTC driver in Toronto—a bus driver or a subway driver—earns in the neighbourhood of \$48,000 a year. Under the government's program, he is going to make \$450 a week, which is some \$23,000 or \$24,000 a year; I do not have my calculator with me. What we are going to see is that particular individual, who may have a heavy mortgage, who may have a family to support on his income, have that income reduced to about \$22,000 or \$23,000 a year. What is going to happen? Where is that money going to come from? How is he ever going to hope to recover the \$20,000 he is going to lose? How is his family going to survive? How is he going to keep up his mortgage payments?

There does not seem to be any appreciation or understanding by this government of that kind of dilemma that is going to confront so many Ontarians, no appreciation, no recognition. They are simply turning a blind eye to that sort of situation and hoping against hope that people out there are not going to notice that this no-fault plan could very seriously impact on me and my family if I happen to be an innocent victim of a car accident. I could lose my home. I could have to declare personal bankruptcy.

That is a reality if you have someone like that living in Metropolitan Toronto, for example, with the high cost of living, trying to survive with a family and make mortgage payments or high rental payments. He or she loses about \$20,000 a year because of an accident that he or she had no responsibility for, and there is no recourse, no way of recovering those lost moneys. Why does the government not address that kind of situation and tell us how that individual is going to be helped by this program? They are not going to be helped by this program.

If you use the current system, you would certainly have every opportunity to recover those lost funds, but recover significantly more for pain and suffering. Not only the victim himself or herself, but family members as well would have the opportunity for some recovery through the current tort system that exists in this province. That is all being tossed out the window. That is the kind of message that has to get out to the people of this province. They have to really begin to appreciate the risks that are involved in this initiative the government has committed itself to.

I want to put on the record a couple of comments that were in an article in the *Globe and Mail* just last week, on 24 November. This had to do with a group advocating for the disabled in the province, expressing concerns. I am going to read this into the record and I will provide Hansard with a copy afterwards.

"One inexcusable element in the government's proposal is the arbitrary \$1,500 monthly limit on expenses for long-term care. Insurers need not pay if they can persuade an institution (many of which are totally or substantially government subsidized) to admit the accident victim. In a province that institutionalizes disabled people at an unprecedented rate and provides virtually no community support, this limit represents a 'life sentence' for many disabled people.

"It is highly ironic that this limit should be announced a few weeks after the Supreme Court of Canada compelled auto insurers to support community living for accident victims. Despite

government policy to respect the wishes of disabled people and their families for community living, the government's plan will increase the rate at which Ontario residents wind up in institutions."

1550

There is another element that I want to put on the record from this same article.

"Another intolerable provision of the plan is that accident victims or their families must first 'incur' expenses for rehabilitation and long-term care before payment will be considered by the victim's insurers. This removes these benefits from the reach of many accident victims. As leading long-term care expert Jane Staub has said, 'The need for families to spend their own money will create undue hardships, especially for poor families whose breadwinner may well be the injured claimant.'"

That is an important ingredient of this and an element that I talked about last week: the impact on the poor of this province. I have talked about and I quoted concerns in respect to the disabled, and that is an element we have to be very concerned about, but I am also very much concerned about its impact on the poor of this province.

Mr Speaker, I am glad to see you back in the chair. As a member representing the same area of the province as I represent, and I have brought this matter to your attention before, I want to again raise it in the House; a study done by the federal government a couple of years ago which showed that in our region of eastern Ontario the highest percentage of families existing on less than \$10,000, and the highest percentage of families existing on less than \$5,000 per year reside in eastern Ontario.

So, Mr Speaker, when we are talking about the impact of this legislation on poor families of this province, you and I and other representatives of eastern Ontario should be especially concerned because it is going to impact on many of the people we represent in a far greater way than many other regions of this province.

I am not going to speak too much longer.

This is an element that does greatly concern me, the impact upon the poor and the impact upon the disabled, and the fact that many, many families across this province are going to be very seriously hurt by this legislation. I have talked about even moderately well-to-do families, and I guess most of us outside of the Metropolitan Toronto region would consider \$48,000 a year to be a pretty good income, but for those trying to survive on it in the greater Toronto area it is

tough, especially if one has a family and one has high rent payments or a mortgage. So it is impacting upon those people as well as the people in my region of the province who are perhaps making only \$15,000, \$20,000 a year or less. There is no recognition of that in this legislation. There is no way of addressing that concern.

It is of great concern to me and of great concern to the Progressive Conservative Party of Ontario that the government simply does not want to recognize that concern, does not want to recognize the validity of those concerns in respect to the handicapped, in respect to the poor, in respect to highway traffic safety, in respect to a host of concerns about this legislation. They are simply ignoring them.

When we ask the minister specific questions about its impact on individuals, on families, on highway traffic safety, we get nonanswers. We get this minister continually standing up in the House going on at length with his set speech about the benefits of speedy, responsive no-fault and so on, but never, never addressing the very real concerns that are out there. Never once have we had what I would describe as a meaningful response from that minister.

I like the minister. I have a great deal of respect for his ability, but I also have some concern about his efforts at bafflegab in respect to this issue, in respect to the genuine concerns that we, as opposition members in this House, are trying to raise, trying to get answered, and we are simply being faced with this wall of noninformation. We are going to attempt over the next few weeks to break through that wall and try to get some answers and try to get these very real concerns of many, many people across this province addressed.

Tying in this whole question in terms of its impact on poor families, in coming to a conclusion I want to once again lay the responsibility for what has happened in the auto insurance field in this province at the doorstep of the leader of the Liberal Party of Ontario, the Premier (Mr Peterson). He made a promise in 1987, near the end of the provincial election campaign, that he had a very specific plan to lower automobile insurance rates.

I think we all know that was not the case, that he had no such plan, and that indeed following the election the government, through its bureaucracy, was set scrambling to try to meet that promise, to try and come up with some sort of process that would indeed meet that promise. We

found out that it was unmeetable, unachievable, that it was a promise that could not be kept.

As a result, we have seen what I think can only be accurately described as chaos in the auto insurance field in this province. We have seen the government have massive intrusion with rate setting; we have seen the backoff following recommendations that it ignored its own auto insurance board, all of these things costing taxpayers millions and millions of dollars just flushed down the toilet by this Liberal government. We have seen nothing but panic reactions at every step of the process; panic reactions that have cost the taxpayers of this province and are going to continue to cost us.

As I said, one of the elements of this is its impact on the poor. Again mentioning my point that this has to be laid at the doorstep of the Premier, this is a gentleman who I do not think has a clear appreciation of the problems faced by the less-fortunate people in this province.

Mr Ballinger: Oh, come on.

Mr Runciman: I know it bothers some of the members opposite to hear this sort of thing, but based upon my own observations over the past number of years we are talking about a man who was raised in very privileged surroundings, someone who was born into wealth, someone who has never really had to get out and slug it out on a day-to-day basis, someone who has no appreciation of what it means to work shift work, what it means to try and pay the rent when one is scratching away to make a monthly rent payment or a mortgage payment. That gentleman has no appreciation of that. He has no appreciation of not having enough money in the house to buy groceries at the end of the week.

Some people in this House do have that appreciation and a lot of people in this province have that appreciation. That gentleman, the leader of that particular party, the Liberal Party of Ontario, has no appreciation, and the introduction of this kind of legislation clearly points that out. Its impact on the disabled and especially its impact on the poor of this province very clearly identify it. That man has no understanding, no appreciation and, in my view, no compassion for the real poor of this province.

Interjections.

The Deputy Speaker: Order, please.

Mr Runciman: I want to tell members that I have no apologies in respect to making these comments because I feel quite strongly about this. I have witnessed this gentleman and I have witnessed the activities of this government over

the past number of years and they have confirmed my views in respect to where he is coming from.

We have heard him talk about his business experience. I think most of us could become president of daddy's firm when we are 26 if we had a daddy who was a very wealthy man and had a big, warm chair for us.

Mr Ballinger: Enough of the cheap shots.

Mr Runciman: You can call it what you will; I feel quite strongly. You talk about that being a cheap shot; I am talking about a Premier of the province who will bring in legislation like this, that hurts, that seriously hurts the poor of this province, and who could not care less.

His minister gives us bafflegab, stonewalls us day after day and will provide no meaningful answers on serious questions. I do not mind saying that. That man does not care. If he really cared, we would not have this legislation before us today. Our party, the Progressive Conservative Party of Ontario, is going to fight this to the end.

1600

Mr Laughren: I wish to engage in the debate on Bill 68.

Following the previous speaker from the Conservative caucus, it gives me a great deal of pleasure because I heard him clearly say that he was angry that the government does not have much concern for those people with low incomes who will be hurt by this legislation. I agree with the member for Leeds-Grenville. That is precisely the case.

I would simply ask the member for Leeds-Grenville to extend his argument, if he believes that as firmly as he seemed to believe it when he said it, that we should be striving for the lowest possible premiums in Ontario and that, of course, will come only through a public automobile insurance plan.

I assume the member for Leeds-Grenville would agree that he wants the lowest possible premiums and if that is the only way to get the lowest possible premiums, if the member for Leeds-Grenville really cares about those low-income families he is talking about, he would then of course support a public automobile insurance plan in the province of Ontario.

The debate surrounding auto insurance has been a fascinating one. I would guess that in the next few years some academic will write a thesis on the whole question of the spectacle of this government wrestling with the auto insurance question. I believe that most firmly, as the government tried to deal with the rate levels, with the discriminatory rates that were in existence

when it formed the government, with the availability of insurance, that question, with the question of fault versus no-fault and whether a private insurance plan is more appropriate in Ontario than a publicly or driver-owned insurance plan.

It really has been a spectacle to watch the government try to deal with all of these issues in the form of legislation. The government brought in legislation and brought in the Ontario Automobile Insurance Board, the rate board that it established. When that board set rates that were too high for them to accept, given the anger that was out there in the community, it was no problem; they abolished the board and simply brought in new legislation.

It really has been a spectacle and now, of course, we have another bill.

I must say I agree with the member for Leeds-Grenville on another matter. I do not know how the Chairman of the Management Board of Cabinet (Mr Elston) has kept his job through the whole process. I can think of only one reason that has allowed him to keep his job and that is because the Premier made a promise on this issue and if the Premier were to dump the Chairman of Management Board from looking after the insurance industry, he would then look pretty silly himself.

All of us, I am sure, recall what the Premier said in the 1987 election campaign. He said, "I have a specific plan to lower insurance rates in the province of Ontario." Nobody even pretends any more that this Bill 68 will lower insurance premiums in Ontario. If the members on the government side believe this is going to lower insurance rates, I trust they will rise in their place and say so. If they believe it will not lower insurance rates, what does that say about the promise of the Premier? What does it say?

Someone once said that a Liberal promise was an oxymoron. I would say a Liberal commitment is an oxymoron. The promises they can make; the commitments they cannot keep or will not keep. It was a very clear promise made by the Premier, the first minister of the province, that insurance rates would be lowered, with a specific plan, not as the Liberals often do by waving a wishing wand, but he had a specific plan to lower insurance rates.

Everyone I have talked to agrees this bill will not do it. It simply cannot do it. Yet nobody seems to be taking the Premier to task very much.

I suspect this bill has the worst aspects of any combination of factors that go into making up an insurance plan. It has probably the worst aspects

for the free market advocate because of its regulatory aspects, so I would suspect that believers in the free market such as the person who spoke before me, the member for Leeds-Grenville, hate this bill because they are great advocates of the free market. They cannot stand it. I am a great advocate of a driver-owned public plan. I hate this bill, because it has all the worst aspects of the free market with none of the benefits of a public plan. It is ridiculous. It is a ridiculous piece of legislation.

The government is being laughed at all across the province because of this legislation. It really is a pathetic performance on the part of this government. If it was bringing in pure no-fault insurance or even limited no-fault, then members would think that would allow the government to deliver an adequate level of benefits. I mean, there must be a tradeoff here. If the government is going to bring in an insurance program that limits fault, which means that the insurance companies will not have to pay out so much, then surely to goodness it must be able to increase the level of benefits substantially and fairly. I know what the level of benefits is in this bill. Not only are they inadequate, it has not even indexed them. What kind of nonsense is that? What kind of protection is that for the drivers of Ontario?

As I re-read the bill, it mentions 80 per cent of net earnings—that is net earnings, not gross earnings—to a maximum of \$23,400. Go and tell an injured worker that is going to be the level of benefits he or she receives. They will run the government out of town. Why is it that an injured worker will get a level of benefits almost twice as high as this and a person injured in a car accident will get this kind of level? It is ludicrous.

The government has got the worst of all possible worlds with this legislation. Not only that, but the benefits are secondary to other forms of insurance, so if members have got another kind of insurance through their employment or through their own private insurance for which they pay separate premiums, the industry does not even have to pay out until they have made out their payment and then the insurance industry just makes up the difference in what the level of benefits should be.

I want to tell members, that is really something else. Not only is the government subsidizing the industry on the no-fault aspect, it is subsidizing the industry on the level of benefits; it is saying to the industry, “Don’t you worry now, we will make sure that all the other private plans have to pay before the auto insurance plan kicks in.” It is also saying, of course, “Don’t worry about that

premium tax either.” There used to be a three per cent premium tax in the province of Ontario, and that raised almost \$100 million a year—\$95 million, I believe—to the province. Almost \$100 million a year. What does the government say? “We are cancelling that. We will give you \$95 million a year just to bring in this plan.” My goodness.

At present, if someone gets hurt in a car accident, the OHIP costs are billed to the insurance company. Under this new legislation, no. The state, the province, the taxpayers of Ontario, all taxpayers, are going to pick that up. We are talking about another \$48 million.

So just in those two aspects of this bill—the cancellation of the premium tax, which is almost \$100 million, and the fact that the industry will not have to pay the OHIP bills any more—we have a \$143-million subsidy to the auto insurance industry of this province. That is what the government is doing. What a boondoggle. What a bunch of bandits the members opposite are. They are handing that out to the insurance industry, and do they know why they are doing it? They are hoping that the insurance premiums will not go up as fast and that maybe they will find a premium somewhere in the province where it will even go down for some individual in the province, and then they will say the Premier’s promise has been kept. Well, they are not going to.

There are three kinds of robins: Robin Hood, robin redbreast and you, you robber. I will not complete the story the way it was told to me. I missed something there.

Interjections.

1610

Mr Laughren: I do have to watch myself from time to time in this assembly—

Mr Pouliot: Nobody else is watching you.

Mr Laughren: I appreciate the presence of the late member for Lake Nipigon (Mr Pouliot). This really is a strange, strange piece of legislation. I think of the inefficiency, I think of how much money the taxpayers have spent just in perusing and coming up with a new solution to auto insurance. I cannot remember the figure on the Ontario Automobile Insurance Board that was set up and then abolished, but it was somewhere between \$5 million and \$10 million that went totally down the toilet. That is where it went, because the government set it up, it made its recommendations, the government did not like the recommendations, so it abolished the board and brought in another bill.

It is absolutely ridiculous what the government has done here. And why? Because the government did not have the courage to deal with the central issue, and that is whether it wants a private plan that behaves according to the market, or whether it wants a public plan, such as is in existence in the western provinces. That is the problem. The government did not have the courage to deal with that. Guess where the heartland of auto insurance is in this province: London, Ontario. Guess which riding the Premier represents: London, Ontario. All a coincidence, of course; all strictly a coincidence. Well, London, Ontario, is well.

I was checking some of the numbers on efficiency between the private industry and the public industry, particularly in British Columbia. I did not go to them and ask them their numbers. I went to Mr Justice Coulter Osborne, appointed by the government to look into insurance matters. He made a comment that the commission on premiums in Ontario ranges anywhere from 7 1/2 per cent to 20 per cent of the annual premiums. In British Columbia, which has a government-run, driver-owned system, the commission rate is seven per cent. Well, if they do it out there with a seven per cent commission, and you have some agents in Ontario taking 20 per cent out of the system, what does that tell the government about the relative efficiency of the two systems? If the government has got a sense of fairness at all, it will know that those people are taking more out of the system than should be taken out of it.

I looked at the expense ratio between the two systems. The expense ratio—expenses in relation to premiums—is 16 per cent in British Columbia. Guess what the expense ratio is in Ontario. Not 16 per cent, not 18 per cent, not 20 per cent, not 22 per cent, and not 25 per cent; it is 30.9 per cent. Now how in the world does the government justify that? I hear these advocates of the free market and free enterprise talk about the efficiency of free enterprise and the inefficiency of government all the time. I hear that often. But here we have an example and proof that a government-run plan is much more efficient than a private plan and the government chooses to ignore those numbers.

Why? Guess why. Guess who has done the successful lobbying with this government. The insurance industry of the province. But the government has not made them happy either. Does the government think they are happy with this stupid system it has got? Bill 68 will not make the system any less stupid than it is now,

and yet here the government goes, because it does not have the courage to deal with the central question.

It does not matter that commissions are lower in British Columbia. It does not matter that British Columbia is almost twice as efficient vis-à-vis the expense ratio. And these are not just numbers. Just that expense ratio itself—16 per cent versus over 30 per cent—would save the average driver about \$100 a year. When I hear the member for Leeds-Grenville talking about his concern for people with low incomes, I did not hear him, however, say that the public plan was much more efficient than the private plan. This is a classic case of the government trying to have the best of both worlds and ending up with the worst of both worlds, the private and the public sector plans. At some point, this government is going to have to deal with that.

I personally am very proud of the policy that my party has been espousing for these many years, and it would not stop with Bill 68; it would put together all the insurance needs of people who get hurt, regardless of where they get hurt and regardless of fault. It would be a universal system. Such a system does exist out there—it exists in New Zealand, for example—and whether you get hurt in a car, on the job or at home, you are covered, regardless of fault.

Here we have a system that is not no-fault because it has a limited threshold and yet it is not pure fault where you can sue whenever you feel like it. It is neither. It is nothing. It is a stupid plan, and I cannot—

Mr Brown: Do you read your election documents?

Mr Laughren: Yes, I have read all the material that my party stands for, and I can say that if you just deal with auto insurance, a public plan in itself would be worth doing. It is when you eventually get to the stage where you put all of the compensation plans together that you will realize a maximum efficiency, not the way the government is doing it. It is really ending up with the worst of both worlds with this bill.

If the members of the Liberal government would stop and think about what they are doing and think of how silly they have looked over the past few years in trying to deal with auto insurance, they might come to their senses and start saying to the front bench over there: "Look, for heaven's sake, we are being embarrassed day after day after day with these insurance plans. The industry is mad at us. The consumers are mad at us. Why can't we come up with a public

plan that will satisfy the needs of Ontario drivers in a fair and nondiscriminatory way?"

Mr Pouliot: I want to voice my concern and, of course, more importantly, the concerns of our constituents. We are presented with really what is a sham, and the word is not too strong. What we have here is a fraud, a world of make-believe, tales of Houdini. Sometimes you think you see the benefit under the proposed legislation, but most times those benefits are not existent or real.

The no-fault plan proposal, as it is titled by the government, should really be called a reduced benefit plan, because let's call it what it is. What the government is proposing is reduced benefits for the motorists of Ontario. The government is saying that unless your injuries are catastrophic, the result of a motor vehicle accident, and permanent—fortunately there are not too many paraplegics in Ontario—you will receive absolutely no compensation for pain and/or injury, for discomfort, for trauma.

Many people believe, wrongly, that there is a compensation chart associated with the no-fault plan; that, for instance, you will get \$2,500 for a broken rib, \$5,000 for a broken arm, \$10,000 for a broken leg. I am sorry; there is no such thing. There is not one penny; as my friend the member for Welland-Thorold (Mr Kormos), the critic, would say, not a nickel, not a dime, not a penny, zilch. If you need therapy after a broken leg, you do not get any money for the broken leg, and you do not get any money for therapy. You get no money for a wheelchair unless you are permanently confined to that apparatus. You get no money for insomnia, you get no money for headaches, nausea, numbness. There is no money available from the government.

1620

If you belong to a plan, and the plan is really specific when it comes to benefit to the motorist, there is no chance that you will ever double dip. Members of this House know what double dipping is; in fact, some of them go beyond to the triple dip and quadruple dip. They feel their needs are many. If you have a weekly disability provision in your collective agreement, you have a small private insurance, for instance, that says if you are off work you shall be compensated to the tune of \$100 or \$200 a week, let's say—it could be any amount of money—you will have to exhaust that before you can latch on to the plan that is proposed by the government. So there goes your sick leave credit, there goes your weekly indemnity program. It is really a reduced benefit plan.

Just last week I had the chance to chat with the minister responsible for the no-fault plan. I suggested to him that he listen very carefully to a true story that happened a few months ago. Of course, the name of the person has been changed, and so has the location, but it is a true story.

Maria is a first-generation Canadian of Portuguese heritage who works for the minimum wage. She cleans the rooms down the road here at the Royal York and gets \$5 an hour. One day on her way to work she gets off the bus—public transit. It is a little slippery and she gets hit by a motorist. Keep in mind that Maria makes \$5 an hour; 40 hours at her designated place of work will constitute a workweek, so that is \$200 a week.

Let's not catastrophize because it is a true story. She does not get hit by Conrad Black. She does not get hit by the chauffeur of a limo with a minister in the back seat. She does not get paralysed for life. Let's not be catastrophic; let's be factual here. But she suffered a broken leg and lost her glasses; one pair of glasses. Most people do not carry spares—you certainly do not at \$5 an hour—and Maria was certainly no exception.

Ironically, had this accident happened when this legislation was in force and in effect, she would get less than the minimum wage of \$5 an hour in the province. It is illegal to work for less than \$5 an hour; that is what the government says. That is why we have minimum wage. But she got hit by a car on the way to work; she was off work for months. The government says: "Now you will be making less than the minimum wage because you got hit by a car, Maria, because you get 80 per cent; so that is going to bring you from \$5 an hour in terms of income to \$4 an hour."

Under any other circumstances you could go to the Ministry of Labour and say: "I was robbed. I was not adequately compensated." But since you got hit by a car, it is costing you 20 per cent, and you go from \$5 to a morally illegal \$4 an hour. And you do not have the right to sue because you are not a paraplegic. Your injuries are not severe enough or, let's say, permanent or catastrophic. So you get 20 per cent less, \$160 a week.

Even more ironically, by virtue of the provisions that are put forward, an unemployed person who qualifies under the other established threshold, if he has not worked in the past two years, let's say, would be getting more money than a person working at a minimum wage. This is a twist of fate of the worst order. If one wishes to develop this over time, once you address the kind of proposed legislation which is ill fated, because

it is really cast in hell, one could go, because it is a reality, as far as saying that Maria would have been better off going to the Royal York, hoping to get a job to clean the rooms. The problem with Maria is that she could not afford side insurance.

This is a no-fault plan for motorists. We are asking people to take out insurance against the motorist, because there is no coverage for any of the supplementary. This is the world upside down. We were saying it is no-fault. If it is not my fault, if I get hit by a car as a pedestrian, I want to make sure that I buy protection in case I get hit. Does that make a lot of sense? It does not make a lot of sense to me.

The minister has mentioned that he wished to ask his aides, the people in his ministry, to look at it and to come back, to see if it was revenue-neutral. I said to the minister, "I am really not too concerned, if I may be so bold—heck, I really do not give a heck if it is revenue-neutral." The thing is, it is not going to cost a great deal. There is a human dimension which borders on the proverbial in cases such as Maria. It is not going to cost the insurance company one bit to make sure that if she gets hit by a car as a pedestrian, she will at least get the minimum wage. Give me a break. That is normal. Who is going to complain, the insurance companies? It is not going to affect that many people.

Consider the idea, the philosophy, the style, the methodology even to suggest—and that is the way it appears—that a person making the minimum wage, a pedestrian, can come off public transit, get run over by a car and lose 20 per cent. This is nothing short of that—I ask anyone to deny it—in this present form. Thank heaven, provisions are here for many amendments, and I think that is really one of them. If people are deliberately to get up in this House, regardless of partisanship and political strife, they would agree with anyone who says that if you get run over by a car, you should at least get the minimum wage. Let's face it.

I do not want to take too much of the valuable time of my distinguished colleague, Mr Speaker, but I have some other comments that pretty well ask what will happen to people. If you will bear with me, I will depart from normalcy and read them; this is not a prepared text, but I jotted them down. I want to make sure that I read them in the right order. It has been done in this House before. In fact, I saw with my very eyes not very recently that some members were reading from prepared texts. I am fully aware that it is contrary, although the word is ambiguous, and it gives

you, Mr Speaker, flexibility and latitude in exercising your function.

You will receive inadequate compensation for your injuries and lost income. "Inadequate" means you are not breaking even here. It is your fault if you get hurt. That is almost the way it works. Your friendly banker, when you go and pay your mortgage, will not ask you whose fault it is. It is your fault because you cannot make your payments, and you cannot make your payments because you are the victim—the victim of an accident but also the victim of the system.

Your premiums are not going to go down—this is a point of view—or they will not rise as much. They will raise your premiums. They cut your benefits dramatically, drastically, but they say it is going to cost you less. It is not going to cost you less. If you pay \$1,000, you will pay eight per cent more, \$1,080.

1630

What should be said is, it is anticipated that it will cost you less than it would have cost you if we had not gone to a reduced-benefit plan. You will pay more in premiums, even though the government promised in 1987 that it had a plan to reduce these costs.

There was one morning when I got out on the right side of the bed—I always do—but I said, "Gilles, you remember the promise that was made, that the government had a special plan." That was in 1987. I am sure, coincidentally, it was right before the last provincial election. I will leave that one alone. A lot has been said. Enough has been said about that.

You will pay more in taxes to cover the further \$141 million handed back to the insurance companies by the government. I mean, they are starting to develop a team here. What you are doing is, you are giving \$141 million back to the government. It is going to have to come from someplace; likely, it will come from general taxation.

You are also telling the insurance companies: "Here is \$141 million that you didn't have before. We are giving this back to you. You don't have to pay us any more. On top of it, you can raise your premiums by eight per cent." That is a \$141-million divided by insurance companies, on a scale, then eight per cent more for the premiums.

But the trick here is that the cost of doing business is reduced dramatically; that over 90 per cent of the people—closer to 95 per cent of the people—have no recourse. They pay eight per cent more out of their pockets to buy protection, to buy car insurance. They will pay out of general

taxation their share of the \$141 million to go back to the companies, so they are paying twice; plus, in 95 per cent of the cases, they have given up their right to sue, their right to recourse. I mean, I have heard of losers. The consumer often takes a beating. I have heard of double losers, but I am getting scared here. This is not a lose-lose situation; this is a lose-lose-lose situation. There is almost no end to it.

When I see the robbery that has taken place—"robbery," because you can see the scheme. You can see how deliberate, how systematic, month after month, in successive years. You can see the major players. You can see the team being developed. You can see the lemon being squeezed, once, twice, three times. I say to you, Mr Speaker, that these kinds of conditions should definitely not be allowed to prevail. Often I have mentioned, and in the recent past, that the middle class—yes, the less fortunate, if you wish, the working poor and the middle class—was under a state of siege, a feeling that the world has pretty well descended upon us, that we no longer have hopes of having a fair system. The bottom line is that the consumer ends up paying for everything, more so than ever before.

These kinds of endeavours are another component. But when you mention it to people, they say: "Look, I can't take it any more. I mean, I want to participate in the system, but I am getting a little less in the left pocket, a little less in the right pocket. First, I throw out the holidays and I cut down on Christmas a bit, and now my car premiums are going up. My insurance premiums are going up eight per cent. I am going to pay more on general taxation because I've got to give \$141 million back to the insurance company, plus I need my weekly indemnity program. Hey, what am I going to do? I am the wage-earner in the family, and I have two little ones at home. I've got to protect myself, so I have to buy a side insurance to cover the show."

Those are questions that people ask, that couples talk about among themselves, and they are in business too. They are in the business of making ends meet, and they are having some difficulty with this proposal, among others. I have mentioned already—I am ahead of myself—that you have to provide for your loved ones additional disability insurance, as a provider for your family.

If you are self-employed and you are showing a small profit—I bet your first job, Mr Speaker, was with a small entrepreneur. The reason I say this—it is not a wager—is that in most cases, eight

out of 10, we enjoyed the opportunity of working for the first time in our lives, being gainfully employed, with a small business.

Well, those small business people, who are really the thrust of our economic system, will not be compensated for profit. Even if you sell the odd quart of milk—but it is sometimes a lost leader, if you wish—you sell lottery tickets, Lotto 649, a chance to dream and then a chance to fleece with the Encore; you know, the proverbial straw. They are very imaginative that way. It is a place where, if you are a bit of a sinner, you buy a pack of cigarettes.

Well, if the entrepreneur is hit in a car collision or as a pedestrian, he is not going to be compensated for profits. There is no such thing. Probably more than just to the hill, there is a path between the maybe not-so-friendly banker, but those bankers are old-fashioned. You can withdraw and withdraw, but they want you to deposit now and then. If you cannot meet your payments, you find out that humour does not become the banker and he becomes not so friendly and he forecloses.

Mr Kerrio: You are dealing at the wrong bank.

Mr Pouliot: You are a lawyer. You have, I am sure, handled many of those cases, or witnessed them.

You give up the right to sue for pain and suffering and other traumatic experiences, and perhaps this is more than your legal right to be compensated, to have recourse. This is where it hurts, because we eliminate 80 per cent of the pain and suffering that happen in the real world.

In summary and in conclusion, you will be forced to live in a system whose government's own advisers, if you wish, have warned that it is inoperative in the real world. It will not work. You will be assaulted left and right. Circumstances will force the government to go back to the drawing table to come up with a system that is well thought of, that will give fair play. I have no quarrel with any component of an industry saying: "The bottom line is, I must show a profit. I am more efficient. I am more competitive." Providing you have that essence of competition at the marketplace, I have no quarrel with that. I show and hold no grudges, show no hatred towards insurance companies or anybody, be it Bay Street or Wall Street; none at all. I want to wish the people well.

But I also want a fair shake. I want an even hand here. I do not want a stacked deck. I feel that this kind of proposal is tainted with a sense of panic and political expediency. Oh, it would be

unfair to charge the government of the day with all the faults, but I know that this could have been thought out a lot better, that fairness in this case is not the prevailing factor. They are not doing themselves, as a political force, if you wish, a great favour, because when they do something wrong, inevitably in the short run, long run, they may not pay the political price. I do not think that is important, because at the next election, they will have at least 130 members back.

1640

We believe that if we run again—not “believe,” but we hope—we will be successful. That is not very important.

The thing is, we have millions of motorists in the province of Ontario—what is it, 5.5 million or 6 million?—who are going to suffer. They are being gypped here. Their premiums are going up by eight per cent, and people are busy making ends meet. They do not have the time, they do not have the training, like my friend the member for Welland-Thorold, a lawyer of prominence who is very eloquent.

Mr Ferraro: Pay him, Peter.

Mr Pouliot: We are not all lawyers. When we buy insurance, we take for granted that we are buying protection. That is 95 per cent of the people.

We talk over the phone or we drop in—it is usually a friend, Harry the insurance broker, or Jane—and we say, “Look, I’m going to renew my car insurance for the following year.” He or she will say, “Eight per cent more.” The thing is, I know what kind of protection I am getting, a bit, the grand lines. But I do not know now. I assume that I am protected until, not calamity—I do not want to say that, because it only affects, thank heavens, a few people. But when I am hurt and when I go and see my doctor and he recommends that I take three months off work, I have to believe in him. That is what I am there for. I am going to get better, but I am losing from the time I get hit. I am not even breaking even in this case. In fact, it is so bad that it is an invitation to long-term, certain poverty.

If you have a family of four and you live in the greater Toronto area, you need \$25,000 to be certified nonpoor. If your family income is less for a family of four, two children, a spouse; if you make less than \$25,000, you are certified, accredited, you are declared poor, because you cannot make it in Toronto. You will never make more than \$23,000 if you get hit by a car, whether you are a pedestrian, a passenger or the driver of that car. So you have a 100 per cent guarantee that if you are the only breadwinner

and you have a family of four—two children, one spouse—in Toronto, you will be below the poverty level.

It will only pay 80 per cent, to a maximum of \$23,000. Imagine. This is fair play? This replaces the system. This saves you money? For the privilege of going one way to the poorhouse while you are injured, we are going to charge you eight per cent more. You are going to pay more to be poor.

It is not entirely fair, but sometimes you have to simplify to illustrate.

What this plan means to us, and we read—if we read it three times—well, we can read and we can understand. I mean, if I read it five times and I cannot understand, it is not I who cannot read; it is someone else who cannot draft. I have had a problem with it but it has not answered the 10 or 11 questions, and that is my worry.

The real problems in the real world are not answered by this plan. I am buying protection, but this is a wolf in sheep’s clothing. It pretends to have clout, to have teeth against the insurance companies. It does not even lay a hand on them, really.

Again, it was last week. What an irony. Maybe the exercise of politics—I was on my feet and commending the Minister of Transportation (Mr Wrye) and the Minister of Mines (Mr O’Neil) for the declaration that he made in the riding of Lake Nipigon. He must have thought I was busy and therefore did not wish to accompany him. The riding of Lake Nipigon will be the recipient of more money from the Ministry of Transportation in the next five years than any other northern riding in the province. What did I do, Mr Speaker? You were right there; your memory is flawless. I said, “Thank you, minister.” I said thank you to the Minister of Mines for dusting off the old mining agreement from the attic that had not been revised since 1906 and coming up with something which is more realistic.

But today when the people of the north—until we get four-laned completely, until the plans of the minister take place, when we have to pass those monster trucks on the highways that are single-laned in the north under very adverse conditions, without any passing lanes, with long winters, a colder climate, hills, rock cuts, single lanes, the minister has to think about that. He has to think about the reduced benefit plan proposed for the sake of expediency—that is really what it is—by this government.

As I was elated last week—the minister is right, we had a good week; he listened well—I am just as

disappointed today. Those are the twists of politics, so I cannot, with all the sincerity at my command, help but remind the government that if it goes through with its proposal as is, with the low quality of comprehensive protection and, in terms of real dollars, insufficient dollars to compensate people for injuries, it is on the road to destruction. This is not a good document. It should not be introduced. Now that it has been introduced, the government has recourse. It can go back to the drawing table and make it better, because that is a duty.

I am just reminded by a colleague, Mr Speaker; would you kindly check in accordance with the standing orders that the House is duly constituted?

The Acting Speaker (Mr Cureatz) ordered the bells rung.

1650

The Acting Speaker (Mr Cureatz): A quorum is present. We ask the honourable member for Lake Nipigon to continue the debate on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Pouliot: It is indeed most unfortunate that the standing orders "force me" to evoke a quorum. As I was saying before too many people chose to leave on another assignment, there were some questions that needed to be asked. For the climate, what is being proposed is most uncertain. Most unfortunately, to date those questions have not been answered. I did what I could with my colleague to bring forth what we feel are legitimate grievances. They speak on behalf of the people who do not have a voice. They offer tangible, concrete solutions which are almost costless. They give the government a chance to bring forth amendments that will render fairness, fair play, especially to those people who are less fortunate.

Mr Kormos: That is an impressive contribution to this debate. Quite frankly, I have a question and a comment. The fact is that these clowns, the Liberals sitting in this House, have been so thoroughly dishonest with the members of the public of Ontario, they have masqueraded a piece of legislation that was written in the boardrooms of the auto insurance industry. It is going to increase the profits of the auto insurance industry, profits like it has never seen before. At the same time, they are ignoring the interests of drivers across Ontario.

They care no more for drivers in Ontario than they cared for injured workers. They care no more for drivers in Ontario than they cared for those people who are being forced to work on

Sundays in shopping plazas and grocery stores by big corporations that have no qualms about breaking the law. They are repaying a debt in excess of \$100,000; and that is the recorded debt, those are the bucks we know about. Lord knows, we ain't talking about fridges and paint jobs here; we are talking about over \$100,000 that the auto insurance industry put in the pockets of these clowns in the last general election.

Mr Ballinger: On a point of order, Mr Speaker: My understanding of the standing orders is that the member can only address his comments to the previous speaker. He will have lots of opportunity to go through this tirade. We have heard it for weeks in here.

The Acting Speaker: I thank the honourable member for bringing that to my attention. The honourable member for Welland-Thorold, will you address your comments to the comments of the honourable member for Lake Nipigon on this.

Mr Kormos: May I have back my time that the point of order occupied?

The fact is that these clowns do not give a tinker's damn about the drivers of Ontario. They are into fridges, paint jobs and payoffs to big corporations like the auto insurance industry in Ontario. We know it, the people in Ontario know it.

The Acting Speaker: I was hesitant to ask for unanimous consent to allow the honourable member more time. Continuing the debate, I recognize at this time the honourable member for Guelph.

Mr Ferraro: I have just a comment, if I may. I do not want to comment on the last speakers; there will be ample opportunity and two minutes would not suffice. But first, can I correct the record vis-à-vis the earlier statement of the member for Nickel Belt (Mr Laughren)? I discussed this with him and I am sure he would agree with correcting the record. The member for Nickel Belt indicated that the plan that is being proposed was going to cover, as far as remuneration is concerned, 80 per cent of net income. The plan that we are proposing in fact covers 80 per cent of gross income. I am sure the member for Nickel Belt wanted me to correct the record.

Just briefly to the member for Lake Nipigon, his example about Maria the Portuguese lady and the minimum wage, I say quite candidly, is correct. Our formula, if you work it out on minimum wage on the basis of a 37-hour week—I understand a lot of people on minimum wage work a 37-hour week—would pay back at the rate

of minimum wage. We can argue at another time that it would not be enough. If indeed the individual, however, were working a 40-hour week, then it would be slightly below minimum wage, and I say quite candidly to the member for Lake Nipigon that this indeed is something that the committee will look at in public hearings and that we would like to address.

Mr Pouliot: I sense a positive tone that if we cannot do it, here we will do it in committee. I know it is not the place to debate and to exchange views, but that is a start, with the less fortunate. With respect, the member mentioned that if we twist—not twist, but if we use the figures to our advantage for the sake of argument, we are about at 37 hours out of 40. We are talking about the minimum wage. You do not need much of a push to come back. It cannot come from me. I do not have the clout. I have got as much clout as Mickey Mouse. I can suggest, though. It is refreshing. It is a start. It is such a small step, but it is a step in the right direction, and I will say this candidly, just as an example of how flawed the legislation is. This is what scares the living daylight out of people, be it pedestrians or motorists.

Except for the members of the executive council, the members of the cabinet who are fortunate to be the recipients of a service provided by the taxpayers of Ontario—they have someone at their disposal to drive back and forth. But let us not lure ourselves. Even for them, that is only for part of the time. In fact, in most cases it should not even be mentioned because it is a minimal part of time. The thing is no one is immune. So when we say, "Charity begins at home," ordinary people that we are, most of us, look at our own circumstances and then we go back to the bill and we ask ourselves: "I'm buying protection. Am I getting value for money?" No, we are paying higher premiums and we are not getting what we deserve for our dollar.

Mr Hampton: I am going to be very brief in my remarks since I know other members want to speak. I merely want to emphasize the most salient points of what is going on here so that everyone will hear again exactly how bad, how awful and how wrong this insurance scheme is.

I think the voters of the province should understand what is going on with this insurance scheme. The government has essentially gone to the insurance companies and said, "You write the legislation, you write the legislation that you want."

That is what has happened, because if you go back over the past two years and you read about the kind of insurance schemes that the insurance companies were advocating, this is it. This is it, pure and simple. This is what the insurance companies were saying back in 1985, 1986 and 1987, during the election campaign. This is what they wanted.

What does it constitute? What is in it? Compensation will not be rewarded for serious physical injuries such as broken bones, scarring or torn muscles. These are not considered permanent under this legislation. In other words, you can suffer very serious harm, harm that may last for two or three years and there is no compensation for it.

Emotional or psychological injuries such as depression, shock and anxiety will also not be compensated. In terms of the evolution of the common law, it took an awful long time for our legal system to recognize that things like depression, shock and anxiety which are caused by an accident or by an incident can be just as serious as physical damage, and this government now, in one stroke, is going to wipe it all out. Again, the insurance industry has written this legislation.

There is no way to recover the innocent accident victim's full loss of income, and we will use the example again: Under the new plan only 80 per cent of wages will be reimbursed, up to a limit of \$450 per week, much below the average industrial wage in this province, an awful lot below that, as my colleague the member for Lake Nipigon has just emphasized. This is wage compensation for poverty, that is what it is. This is not wage compensation according to the standard wages in Ontario today. This is a poverty compensation scheme, but one that is very popular with the insurance companies.

1700

Benefits under the plan will not be indexed to the cost of living. How incredible. At an inflation rate of five per cent annually, four years down the road what meagre compensation you are going to get is going to be worth 25 per cent less. How disgusting.

Here comes the greatest one of all: The fact of the matter is the government is going to subsidize the insurance companies while this scheme goes into practice. In the first year of operation alone the government is going to give the insurance companies of Ontario \$141 million in subsidies by way of tax reductions and by way of OHIP assessments being returned. How incredible. Taxpayers of this province are going to subsidize

private insurance companies on top of paying their auto insurance premiums. And while we speak of premiums, the record should also show that auto insurance premiums are going to rise eight per cent in the first year alone under this scheme. This is insurance legislation written by and for the insurance industry. They just happened to have rented a Liberal government to do it for them.

I think we should look at what the commentators are saying about this scheme. Ralph Nader has acquired a reputation as being a square shooter, someone who does not pull his punches but someone who can be counted on to speak out in the interest of consumers. This is what Ralph Nader has to say about this scheme. This was in the *Toronto Star* last week:

"Ralph Nader, the US consumer crusader, is supporting a coalition formed to oppose Ontario's proposed auto insurance reform....

"He called the Ontario motorist protection plan 'a surrender to the power of the insurance industry' and urged its critics 'to unmask who is pulling the strings of the Ontario Legislature.'"

Ralph Nader does not have a bone to pick with anyone. He is not a lawyer who is going to practise in Ontario, he is not a spokesperson for the insurance industry, he is not a spokesperson for the New Democratic Party. He has won a reputation across North America as someone who speaks out on behalf of consumers, someone who works on behalf of consumers. Over there we have the minister who is bringing in this legislation, who pretends that he knows more about this than Mr Nader.

Hon Mr Elston: I know more about Ontario than that guy does. I know more about Ontario because I live here. I know my country, I know Ontario, I know Canada. He doesn't give a hoot for it.

The Acting Speaker: Order, please. I say to the honourable member, the Chairman of the Management Board of Cabinet, whom I have nothing but the highest respect for—

Hon Mr Wrye: He is being provoked.

The Acting Speaker: You are provoking each other, so let's be a little less provoking.

Mr Hampton: I will now cite a Canadian lobby group. We have the Consumers' Association of Canada. "The Ontario government's plan for auto insurance reform provides no guarantee of premium savings or wider availability of coverage," the Consumers' Association of Canada warns. They said: "Consumers have been promised premium savings. Will they deliver?"

The consumers' association says, "Not under this bill."

I will quote them again. They simply say, "Consumers who have private insurance would have to tap these payout benefits first before benefiting from the plan." In other words, in order to make this plan, which the minister in charge says is so wonderful, work you have to go and tap your own disability insurance. Even private disability insurance is going to subsidize the auto insurance corporations under this minister's bill. How wonderful. Everybody in our society, it turns out, is going to subsidize the auto insurance industry under this minister's scheme. He says it is a great plan. This is absolutely incredible.

I promised my colleagues in the Progressive Conservative Party that I would not speak at length on this. I want only to say that I have tried to highlight what the problems are in this legislation. The fact of the matter is that this is legislation written by the insurance companies for the insurance companies. All they had to do was rent the Liberal government to pass it for them. That is where we are in Ontario today.

Mr Kormos: We should be thankful indeed to the member for Rainy River for his contribution, because he speaks of Ralph Nader as a square-shooter while the member for Rainy River is a straight-shooter. He tells it the way it is and there is no getting around it.

He talked about the degree of subsidy. We have three systems working in the western provinces here in Canada that have not denied people the right to sue, that provide speedy, generous no-fault benefits and yet still provide auto insurance to every driver in each of those three western provinces, at premiums that are significantly less than what they are here in Ontario and that is before the eight per cent increase. He promises eight per cent, but my goodness, we have heard this government's promises before and we are hard-pressed to believe him now.

We are not dealing here with the Minister of Financial Institutions (Mr Elston). We are dealing here with a mythomaniac, one who would have the public believe all sorts of bizarre and quite frankly fascinating mythical things about this insurance package. It is a payback, straight and simple. The insurance companies invested big bucks in this government. Indeed, the member for Rainy River talks about this government having been merely for rent by the insurance industry. That puts them in the ranks

with some of the world's oldest profession, I suppose.

This government is quite eager to have lawyers out of the picture. Why? Because they know that lawyers fight for people's rights. They want people to be victims of the insurance industry, without representation. They want people to be victimized by the auto insurance industry in this province without the benefit of having lawyers fighting for them. That is what this government wants and that is why this government has been so quick to criticize the role of the bar.

The bar has a response to those clowns over there who are trying to run this scam through, this little bit of legerdemain, this little bit of sleight of hand. If we are in a circus, we have to have clowns, and here they are. If they want to regulate lawyers' fees, do that, but do not screw the driving public.

Hon Mr Elston: I think it is worth while to note that the theatrics of the member for Welland-Thorold are always very entertaining but highly suspect. He, along with others, is a highly skilled fiction writer and even better as a stage performer. We might want to examine his rendition of this act. Probably we could describe it in terms of a new title. Because of his alliances, it might be more appropriately called *Peter and the Wolves* or something like that, some equally interesting piece of fiction.

Let me say one thing about Ralph Nader. Ralph Nader, who was raised in front of the House in the report by the member for Rainy River, had indicated that we should retain the entire legal system, as he saw it from his ivory tower in the United States of America. In that place, they obviously know what is best for Canada. From time to time, the New Democratic Party will import its heroes from the United States to tell us exactly what we should do in Canada. Not here.

His next quotation was from the Consumers' Association of Canada, which says to Ralph Nader: "Ralph Nader, you are all wet. We want pure no-fault in Canada. We do not want anything to do with your silly system of lawyers." In fact, the Consumers' Association of Canada says: "We do not want Ralph Nader's version. We want a Canadian version. We want something different entirely."

I will admit that they also said they wanted public, and we can disagree with that because we believe there is a system that is able to deliver services here in Ontario. But they do not agree with Ralph Nader. They do not agree, as that guy over there says, that Ralph Nader is right for

Canada. Our system is developed in Ontario for Ontario drivers in a fair and balanced manner.

1710

Mr Hampton: I want only to say this to the minister: If he had one tenth the reputation Ralph Nader has, he would have no problem selling this legislation.

The second thing I want to say to the minister is that he very conveniently leaves out what the consumers' association says. The Consumers' Association of Canada says that it wants a government-run insurance plan as in British Columbia, as in Saskatchewan, as in Manitoba. If the minister would bring such a program forward, he might even have the support of this House.

Interjections.

The Deputy Speaker: Order, please, considering the standing orders provide for everybody to comment and question. Do other members wish to participate in the debate?

Mr McLean: I am pleased to have this opportunity to say a few words about Bill 68, An Act to amend certain Acts respecting Insurance.

I have a great number of reservations about anything this government dreams up when it comes to insuring motorists in Ontario. We can just look at this government's record with respect to insurance and we can clearly see that this matter has been bungled. For example, this government has reneged on the Premier's election promise that he had a specific plan to lower insurance rates. That promise evaporated and all we got was more insurance premium increases.

I want to give the members a few facts and then I want to relate some specific cases that I have in my riding at the present time because of this government.

For example, this government's meddling in automobile insurance has hit taxpayers in their pocketbooks extremely hard. This government has commissioned two expensive studies of automobile insurance in this province and then ignored both of them. The government established the expensive Ontario Automobile Insurance Board and then turned around and interfered with, or completely ignored, the work of this same rate review board.

For example, this government plans to implement threshold no-fault insurance in Ontario despite very pointed criticism of this system in the Osborne report, which it itself commissioned.

For example, this government is trying desperately to find scapegoats to take the heat over its

own failures. We witnessed this government blaming doctors for not using an imaginary hotline to find hospital beds. Now we can witness the same government trying to convince the public that lawyers are driving up the cost of claim settlements.

On page 363 in volume one of the Osborne report we can see the progression of motor vehicle accident related claims through the courts. We can clearly see that in 1985 there were 232,207 third-party liability claims reported. Only 4,383 of these cases went to trial and only 3,755 proceeded through to judgement. That is just 1.6 per cent of the claims.

Another example is the narrow wording of threshold that I think will cause a number of problems in the areas of the interpretation of "permanent injury," the classification of "an important bodily function," the definition of "physical" as it relates to the physical component to chronic pain.

I am also concerned that the so-called generous benefits of the government's new system are not as generous as it would have us believe. The level of no-fault benefits has not been adjusted since 1978. They now will rise to \$450 and they will not be indexed to inflation.

The new insurance commission that will replace the rate review board and the superintendent of insurance will have very little power. It will do nothing but review and approve rates that will still be set by the insurance companies. I am concerned about this commission's apparent lack of authority and power.

Other concerns I have about the government's new automobile system include:

There is no cost saving for consumers under the new system because there are no caps placed on individual rate increases, and the government is relying on the regulatory powers of this yet-to-be-formed insurance commission.

The new system allows continued cherry picking whereby insurance companies may continue writing policies for clients who present the lowest risk of outlay.

The introduction of this new system will cost consumers about \$773 million including \$480 million the insurance companies save in compensation payout for pain and suffering under the new threshold, \$150 million the insurance companies will save in compensation payouts for economic loss under the new threshold, \$95 million in revenue the government will forego by eliminating the three per cent tax drivers currently pay on insurance policies written in Ontario and the \$48 million insurance companies

will no longer have to pay to OHIP for medical service provided to innocent victims of car accidents.

I have told members that I do not like Bill 68 and now I would like to conclude by suggesting what could be done to give the people of Ontario the type of insurance system they deserve.

The government should put an end to the costly rate-setting bureaucracy and establish a rate review system similar to that already in place in the province of Alberta; appoint an insurance ombudsman and institute wide-ranging tort reform measures; make immediate improvements to driver education and licensing as well as implementing stricter enforcement of highway traffic laws; further examination of the "choice no-fault" system which would allow consumers to choose the coverage they want. They should choose and not the politicians or the insurance companies.

The minister in a news release has indicated that the focus of the new plan will be on prompt compensation and rehabilitation. If you are in an accident, how can you get compensation unless you are dead or permanently injured?

This government will have raised insurance by a total of 24.6 per cent by the time this eight per cent for urban drivers comes in. I thought all indications of insurance increases would be in the neighbourhood of 30 per cent to 35 per cent, but that was for full coverage.

I will give members some examples of where people will be injured and have no coverage at all. The Minister of Financial Institutions in this news release has certainly tried to deflect the strong criticism, which is warranted, that they are receiving.

The Osborne report indicated, "I have concluded that aside from the provision of a modest degree of additional stability for automobile insurers, cost/premiums decreases would be modest were we to proceed to threshold no-fault and those modest cost savings would be imported on the backs of over 90 per cent of injured Ontario motorists who now have the right to seek noneconomic compensation."

There are many things in the Osborne report that I agree with, but this government certainly does not find many that it agrees with.

The narrow wording of the threshold would lead to many problems. The generous benefits of the new system are not as generous as the government would have us believe. I want to relate to members a couple of cases, with regard to the benefits this minister feels are going to take

place, in a system where real people will be injured and will not collect any compensation.

1720

A factory worker earning \$800 a week suffers a whiplash injury when his car is rear-ended. His neck injury prevents him from working for one year because of the heavy lifting and twisting involved in his job. In the present system, that individual would get \$10,000 damages for pain and suffering and \$41,600 damages for lost income, for a total of \$51,600.

Do members know what he gets under this minister's proposed system? Damages for pain and suffering—the injuries do not meet the threshold definition of serious—he gets zip; he gets nothing. Damages for lost income, \$450 a week. The maximum allowed under the proposed no-fault benefits plan is \$23,400. Under the new system he will get \$23,400, which is a difference of \$28,200 less under the new system than he would have got under the present system.

There is another example of a mother who witnessed her child being run over and killed. She goes into nervous shock and suffers a severe psychiatric illness as a result. The mother earned \$25,000 a year at her job but is off work for two years while undergoing therapy. Under the present system, she would get \$40,000 for damages for pain and suffering, witnessing the child's death and suffering the psychiatric illness, \$50,000 damages for lost income, at \$25,000 a year for two years, for a total of \$90,000.

Do members know what she would get under the new system? I think the people who are listening will be interested in this. Under the proposed system, damages for pain and suffering, since the disability must be physical in nature, she gets nothing; damages for lost income, since the mother herself was not injured in the accident, she gets nothing. Under the new system, she gets nothing. Under the present system, she gets \$90,000. Does the minister think that is fair?

I want to give the minister one more example: a 12-year-old who is struck at a crosswalk and suffers a broken back, is in hospital for three months and misses his school year as a result, which could happen to many of these young pages here. In the present system, he would get \$25,000 for damages for pain and suffering, \$15,000 damages for delayed entry into the workforce because he is one year behind in schooling, for a total of \$40,000. Under the proposed system, damages for pain and suffering, injuries do not meet threshold definition of

serious, he gets nothing. Damages for delayed entry into the workforce, he gets nothing. The difference is \$40,000 less under the proposed plan. Does the minister call this insurance that people pay for?

I have already stated the position that we feel the government should take. This automobile insurance plan is a wolf in sheep's clothing. That is exactly what it is. It is not a fact at all. When I see this newsletter from the minister saying that the opposition or people who are opposed to it should have an alternative, we do have alternatives and so did the Osborne report have alternatives, but did this government listen? No, it did not.

I want to relate to the minister the case of an individual in my riding who has been in touch with my office on many occasions, and I just want to read part of her letter.

"Please find enclosed a copy of a letter from Royal Insurance. Thank you so much for your interest in my fight with Royal Insurance.

"Much paper has flowed back and forth. To date, I received \$2,500 which is supposed to sustain me for seven months. Most of it went to pay rent for my home, insurance premiums and the like. My parents have been subsidizing me as well. They are retired. I cannot allow them to continue and I have decided to give up my home.

"My recovery is very slow and very painful." This is a person who was in an automobile accident and has not worked since. "I can only assume there is a communication problem between Royal's head office and their adjusting company. The president of Royal Insurance telephoned my lawyer to apologize for their treatment of me and to assure me that payment would be forthcoming. They could not have advised Maitland's because they immediately asked for more documentation.

"They want the moon for \$140 a week. I can only assume that the company has a bruised ego because of my lawyer's plea directly to the president of Royal. The one thing I do know is that I cannot depend on any regular payments from Royal. They want me to beg, hoping perhaps I will get fed up with the mind games they are playing and go away."

This is a person who got \$2,500 from an insurance company to help her live for seven months. I have a problem with letters such as this, and I know that the minister would, because he knows this is not right, but I have to tell members that insurance companies today are certainly having second thoughts with regards to insuring certain people.

I have another letter from Glenn McGregor of Foxmead. He had his insurance with this company for 30 years. Economical Mutual Insurance Company has dropped his business insurance, they say because he is semiretired and that he and his son, Gary's Towing, lent each other trucks. They cancelled his son's insurance for \$6,000 worth and his for approximately \$3,000. He tells me he had to pay \$1,000 last winter on an accident his 22-year-old son had with the car. Whether this had anything to do with it is a mystery. His agent cannot seem to understand why they were dropped either. I think something should be done about insurance companies.

I also have copies of the letter from the companies where they indicated to him: "Subsequent to our numerous conversations re the insurance occupation, in light of the fact that the insured operation is unacceptable to us we have no alternative but to maintain our original decision to remarket this risk." These are a couple of cases within my riding that we see, and it is just starting to happen. I am getting letters to no end from people in my riding with regard to this government's policy on insurance.

If Bill 68, An Act to amend certain Acts respecting Insurance, becomes law, you will still be able to sue the person who drops a bowling ball on your foot, but not the one who runs over it with the car. Is that not interesting? You can still sue somebody if they drop a bowling ball on your foot, but if you get run over with a car you do not get any insurance. In other words, people will be able to fracture your foot at no cost to them just as long as they use a motor vehicle to do it. If an innocent victim must take several months off work, suffers pain or depression, misses exams and incurs damages of \$30,000, he or she can recover against anyone except the person who has done it in a car. That person become immune and cannot be sued for one red cent.

Under the government's insurance scheme, the victim's car insurance company may pay 80 per cent of the salary up to a maximum of \$450 a week, except for the first week. OHIP will pay the medical bills, but the victim will get nothing for pain and suffering. If the victim is self-employed, he or she will get nothing for business losses; if the victim makes more than \$450 a week there will be nothing to make up the difference, and if the victim has sick leave or some private insurance that replaces the income, he or she may get nothing at all. If the victim actually loses a foot, he or she can probably sue, at least the victim can go to court and ask the

judge to find that the injury has met the threshold where no-fault ends and ordinary legal rights return. It kicks in the moment a victim dies or suffers a permanent injury on a continuous basis.

Mr D. R. Cooke: Stay off the road.

Mr McLean: The member for Kitchener says we should stay off the roads. There are a lot of people who are not going to be able to get on the roads because they are not going to be able to get insurance.

I believe the adage that the lawyers are the cause of high costs in insurance is not borne out by the facts. It works out to approximately 1.6 per cent of all the claims. I believe this minister's new legislation is certainly not acceptable to the people of this province in its present form. I believe some of the Osborne comments and suggestions. The minister would have done well to have listened and implemented some of those suggestions in his legislation.

1730

I believe people should be able and should have the opportunity to buy full coverage for their automobile. I also believe it should be at a reasonable cost. But when I see the insurance proposed going up 24.6 per cent, and no coverage in many cases, it really makes me stop and wonder what has happened to our insurance industry.

Government interference, I believe, is the major problem. The indications were, before the government was involved, that insurance premiums were going to be raised approximately 30 per cent in their present form. I would far sooner have paid the 30 per cent and had full coverage and suing rights than to pay 24.6 per cent and have no rights at all and no insurance coverage at all. It certainly is a big difference to me.

I think the people of this province should have the opportunity to have full input into this legislation. I believe there should be open and full public hearings across this province for the people who want to come and look at the legislation to make sure they feel it will be acceptable and the coverage will be acceptable to them.

I say the government should rethink. I know what will probably happen. They will probably bring in 50 amendments to this legislation, as they have with pretty near every other bill that has been here before. The minister is indicating there may be up to 65 amendments. Is that right? No, the minister would not indicate that. I knew the minister wanted to come here today and listen to some of the excellent points that have been made on this side of the Legislature so that when

he does bring in his amendments they will be well thought out and it will be for the benefit of all the taxpayers of the province of Ontario.

Mrs Marland: In rising to speak on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance, I think at the outset we had better make quite clear that this is a bill that deals with automobile insurance, and automobile insurance is not a matter that anyone who wishes to drive in Ontario has any choice about. Anything that pertains to driving today in Ontario is not necessarily in any way a luxury.

So many people depend on their automobiles to get to work, to get to school, to get to doctors' appointments. In a province like ours, even retired people who no longer go to work depend very much on being able to get into their cars and be protected from other drivers when they are driving; and also their passengers, whom they may as volunteer drivers be taking to cancer treatment, shopping, whatever. Everyone needs to be protected. Unfortunately, what we have in Bill 68 is not the kind of protection that people who drive automobiles today in Ontario need.

I think it is important, first of all, to put on the record that this Liberal government has reneged on yet another promise, and that was the very, very vocal promise to lower automobile insurance rates. On 7 September 1987, on an election campaign stop in Cambridge, the Premier said he had "a very specific plan to lower insurance rates." While in Cambridge, the Premier denounced the New Democratic Party proposal of government-run auto insurance, stating, "You can say anything you want, but the point is, if you aspire to govern, you've got to be credible and base the things you say on accurate information, not just wishes and theories."

One must ask today whether that statement by the Premier in September 1987 was not cryptic. One has to really wonder, when he says you have to be credible if you aspire to govern, what can be said today about that particular statement as it reflects on his particular government.

So much for lower insurance rates. I just want to place this on the record for those people who have not kept an accurate account of where we have been with insurance rates for the past two years.

On 1 January 1988 insurance rates rose 4.5 per cent, and on 1 August 1988, a few months later, they rose by another 4.5 percent. So there we have between January and August in 1988 an increase of nine per cent. Finally, on 17 April 1989, less than a year later, rates rose another 7.6

per cent. All this is from a government which prides itself on slogans such as, "We did what we said we would do."

Unfortunately, on this issue, we have very accurate, tangible figures that prove this government has not done what it said it would do, and the people of Ontario will certainly remember that this government betrayed them in its promise to lower automobile insurance rates.

The government's bungling of automobile insurance has cost taxpayers dearly. The government commissioned two expensive studies of automobile insurance in Ontario. One was the Slater study in 1986, and the other was the Osborne study in 1987. After commissioning these two expensive reports, what did they do but ignore the findings of those commissions?

The report of Mr Justice Coulter Osborne entitled Report of Inquiry into Motor Vehicle Accident Compensation in Ontario cost the Ontario taxpayers more than \$1.4 million, yet the government failed to act on the 174 findings and 147 recommendations aimed at improving the delivery of accident compensation.

The member for Brantford (Mr Neumann), who is not in his seat, is interjecting, asking what we would do. My response to him is simply that if you have two commissions that concentrate on the same issue and then you turn around and simply throw their reports in the round file or on the shelves to gather dust and totally ignore their findings and recommendations, and they are an independent body, yes I would be more than willing if I were the government to tell the member what our solutions are.

Yes, the Progressive Conservatives do have solutions and recommendations. The Progressive Conservative caucus also listens. If we were to spend \$1.4 million to find out from an independent source what would be the best solution to automobile insurance in this province, you can be sure that we would not turn around and ignore those recommendations and findings.

1740

There is something else this Liberal government did as a solution for automobile insurance and the rates so applied. The government established the Ontario Automobile Insurance Board on 11 February 1988. The mandate of the board was to determine rates or ranges of rates that may be charged by insurance firms in accordance with a uniform risk classification system. However, the government has interfered with the work of the board and used it as a

political whipping boy since day one. I will give examples of that.

In spite of the fact that this board was established, the government approved an industry rate hike of 4.5 per cent on 1 August 1988. The government announced on 9 February 1989 that it wanted to study no-fault car insurance. The government announced a 7.6 per cent cap on rates on 17 April 1989, and also on 17 April 1989 the government announced that it would not proceed with plans to eliminate age, sex and marital status as rating criteria for insurance companies effective 1 June 1989. Insurance companies making administrative changes in preparation for the new rate classification system were forced to spend millions of dollars for nothing, costs which will eventually be passed on to the consumers through higher premiums. That obviously is inevitable.

It is very apparent that the establishment of the toothless Ontario Automobile Insurance Board has been a costly exercise for the Ontario taxpayers. How costly? Over \$14 million to date, and for what?

The government plans to implement threshold no-fault car insurance in Ontario. Let's find out what that is about. They are going to implement threshold no-fault car insurance despite the very pointed criticisms of this system in the Osborne report, which this government commissioned and which cost \$1.4 million. They pay that for the advice and then decide to go 180 degrees in the opposite direction.

I have two quotations that I want to read from the Osborne report. In volume 1, page 3, he writes:

"I have concluded that aside from the provision of a modest degree of additional stability for automobile insurers, cost/premium decreases would be modest were we to proceed to threshold no-fault and those modest cost savings would be imported on the backs of over 90 per cent of injured motorists who now have the right to seek noneconomic compensation."

The second quotation from Mr Justice Osborne's report is from volume 1, page 4:

"Having looked at a great number of compensation systems, in the final analysis, it seems to me that while our system is far from perfect, Ontario should be an exporter, not an importer of compensation systems."

Finally, from volume 1, page 45, finding 120 of the Osborne report:

"Threshold no-fault should be rejected because it is relatively inefficient and unnecessarily arbitrary. There will either be no or minimal

savings on transaction costs in threshold no-fault."

That is the advice that the taxpayers of this province paid \$1.4 million for, and that is exactly the advice that Mr Justice Osborne gave totally in opposition to what this bill today represents. He recommends not having threshold no-fault, and that is exactly what the Liberal government has now decided to introduce.

The government actually would have the public believe that lawyers are driving up the cost of claim settlements. Page 363 of the Osborne report, again in volume 1, outlines the progression of motor-vehicle-accident-related claims through the courts. The report shows that in 1985, when 232,207 third-party liability claims were reported, only 4,383 of these cases went to trial and only 3,755 proceeded through to judgement. That works out to 1.6 per cent of the claims, which is hardly an argument for the government to say that lawyers are driving up the cost of claim settlements.

Many of the different policy initiatives which comprise the Ontario motorist protection plan could have been implemented long ago. Mr Speaker, I know you will recall what an exciting day it was supposed to be here in these chambers when the Ontario motorist protection plan announcements were made. I just want to refresh the memory of those present as to what those announcements were, because I think the people in Ontario should really know what is going on with this Liberal government.

The Minister of Transportation made the following announcements. He said there would be higher fines for speeding and other traffic offences; campaigns to increase the use of seatbelts and daytime running lights; consideration of licence restrictions on new drivers; better identification and treatment of repeat drinking driver offences; increased funding for highway median barriers and paved shoulders; and improved freeway traffic management.

Are these policy initiatives ground-breaking? Hardly. They are the routine work of the Ministry of Transportation, and to make such a big hoopla about them, because they are unable to do something else in terms of real measures, is ludicrous. It is actually an insult to the people of Ontario. This kind of commonsense enforcement is today, was yesterday and last year and the year before, a responsibility of the Ministry of Transportation; if it has not been doing it, the people of Ontario should know why.

I also want to tell members what the Attorney General announced. He announced increased

availability of structured settlements; improvements to the method and time period for which prejudgement interest is calculated; and increased availability of advance payments for all personal injury claims.

The Attorney General promised these initiatives on 9 February 1989, exclusive of any no-fault system being introduced. Again, these reform measures are not ground-breaking. In fact—and this is really interesting—they were derived from the Osborne report and the Ontario Law Reform Commission report on compensation for personal injuries and death. Again, the Attorney General tried to jump on some kind of publicity bandwagon and reannounced something that had already been announced.

We also had announcements from the Solicitor General (Mr Offer). I have to say, looking at these announcements, that obviously the Solicitor General was simply doing his job as Solicitor General. These announcements have very little to do with auto insurance, but since they were announced, I am going to read them into the record and ask again the rhetorical question about why now, what is new and where is the relevance.

He announced that an additional 115 officers would be hired by the Ontario Provincial Police and assigned to targeted areas with high traffic accident and compliance problems. I would have hoped that would have been a responsibility of this government in any case.

1750

Another announcement was that an extra 25 OPP officers with fully-equipped cars would be assigned to the greater Toronto area, where traffic law compliance problems are acute. It certainly would be encouraging to have the greater Toronto area assigned something extra and above the normal, because we now recognize that those people who drive cars that are registered in the greater Toronto area are paying more for their driver's licences and more for their motor vehicle licences. So it is about time, if this government is going to tax them and penalize them for living in the greater Toronto area, that at least there might be some more protection for them on the roads. An additional 90 OPP officers will patrol Highway 401, the 400-series highways and Highway 69.

Continued operation of the Reduce Impaired Driving Everywhere campaign—well, I would hope so. It is proven by the RIDE campaign, which this government can take no credit for—it was not this government that established the RIDE campaign, and if it wants to try to take

credit for it, frankly, it is certainly trying to mislead the public because, in fact, the RIDE campaign and its success has come because of the observance of the people of Ontario of a program which our government introduced.

The Solicitor General stated, "We want to be part of the team effort." Team effort; it is the responsibility of the Solicitor General to enforce existing highway safety laws. The Solicitor General is finally acting on a well-recognized program. The Ontario Ministry of Transportation 1987 statistics indicate that speeding was a contributing factor in 52 per cent of fatal traffic accidents, while alcohol was a contributing factor in 35 per cent of fatal traffic accidents.

I want to give the members another example of a program that was announced as part of the Ontario motorist protection plan, and again, it is a co-opted program. It is not new. This was an announcement made by the Minister of Consumer and Commercial Relations (Mr Sorbara). He announced that there would be increased use of the ministry's ghost car program. For those members who are not familiar with it, that is the ghost car program which was started in 1984 by the former Progressive Conservative government.

A mechanically sound car is given a specific problem and then handed over to various garages for repair. The program attempts to weed out unscrupulous operators accused of making unnecessary or excessive repairs. The minister is trying to jump on the Ontario motorist protection plan bandwagon by seeking to improve an already successful and proven program. If it was not so serious, it would almost be entertaining. I guess they just sit there and look up what is on the books and on the shelves and think, "Now, what can we reannounce?" I do not think there is any imagination or initiative or vision in this current government. Either that, or the fact is that what we left for them is so good that they simply cannot improve on it.

I think it is important, since this bill addresses a threshold no-fault insurance system, that we had better all understand what is meant by "threshold," because it is going to be very critical for the people of Ontario if this bill goes through as it is with regard to the threshold no-fault car insurance. The narrow wording of the threshold is what is going to lead to so many problems. The threshold simply means that in order to proceed with legal action, a person must die, in which case the estate would benefit, or the person must sustain—and I will give the two examples that make that threshold eligibility. This is the first

example, "permanent, serious disfigurement," or the second example, "permanent, serious impairment of an important bodily function caused by continuing injury which is physical in nature."

The sad part about this is that there is no minimum standard of eligibility to access the courts for compensation, and frankly, I do not know how anyone can stand in this House and vote in favour of this legislation as it is presently worded. I think you would only have to put yourself or a member of your family or someone you know in the position of having to establish the criteria for whether or not they meet that threshold.

Worse than that, the Minister of Financial Institutions is leaving everything up to the courts to interpret the threshold. We are saying here "permanent, serious disfigurement." What is "permanent"? Is it one, two, 20 years?

What is "serious impairment"? By whose standards are we judging the seriousness of impairment, the seriousness of the accident? Is it the courts' standards? Is it the victims' standards? Is it the insurance companies' standards? Who will make that judgement? What classifies as an important bodily function?

I can tell members that in Michigan, where they have this kind of system, it actually removes the rights of 94 per cent of the victims. Some 94 per cent of the victims will not qualify beyond that threshold.

Medicine has long accepted that there may be more than a physical component to chronic pain, and that is without question. How is the word "physical" to be defined, and again, by whom?

The threshold expressly prevents anyone suffering psychological, mental or emotional

injury from seeking legal redress. The government is telling the public that emotional trauma, psychological trauma and the emotional devastation caused by an automobile accident are no longer worthy of compensation under the new plan. This is a sad day in this province if this government truly believes that is a legitimate opinion.

Head injury is the most frequent serious disability. Special behavioural or psychological problems may arise from this type of injury. I do not know how any government could consider eliminating legal redress for people who have psychological, mental or emotional injury resulting from an automobile accident, and I think it is terribly important for this government to look very, very closely at this threshold before it passes this legislation.

It is so important for them to have very clearly defined how legal action can be proceeded with, and if we think we are going back to the dark ages where chronic pain is something that can be weighed one way or the other and separated from the physiological to the psychological, we have probably gone back 200 years in medicine. I cannot understand how any government with the kind of resources that it has can ignore the fact that the physical component to chronic pain is very real.

I think this is a point in my debate today where it would be appropriate for me to adjourn the debate and continue on the following day on this particular piece of legislation.

On motion by Mrs Marland, the debate was adjourned.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
- Miclash, Frank (Kenora L)
- Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
- Morin-Strom, Karl E. (Sault Ste Marie NDP)
- Neumann, David E. (Brantford L)
- Nicholas, Cindy (Scarborough Centre L)
- Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
- Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L)
- Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
- Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
- Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
- Poirier, Jean, Deputy Speaker and Chair of the Committees of the Whole House (Prescott and Russell L)
- Pollock, Jim (Hastings-Peterborough PC)
- Polsinelli, Claudio (Yorkview L)
- Poole, Dianne (Eglinton L)
- Pope, Alan W. (Cochrane South PC)
- Pouliot, Gilles (Lake Nipigon NDP)
- Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
- Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
- Reycraft, Douglas R. (Middlesex L)
- Riddell, Jack (Huron L)
- Roberts, Marietta L. D. (Elgin L)
- Runciman, Robert W. (Leeds-Grenville PC)
- Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
- Smith, David W. (Lambton L)
- Smith, E. Joan (London South L)
- Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
- South, Larry (Frontenac-Addington L)
- Sterling, Norman W. (Carleton PC)
- Stoner, Norah (Durham West L)
- Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
- Tatham, Charlie (Oxford L)
- Velshi, Murad (Don Mills L)
- Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
- Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
- Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 77

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Official Report of Debates

Legislative Assembly of Ontario



Second Session, 34th Parliament
Wednesday 29 November 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 November 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ACQUIRED IMMUNE DEFICIENCY SYNDROME

Mr Laughren: December 1 is World AIDS Day and it is time to set the record straight about the Ontario government.

Ontario has failed to provide anonymous testing. Evidence and common sense prove HIV reporting and contact tracing scare people away from testing. People cannot fight their HIV infection if they do not know they are infected. To discourage testing is to encourage early death. The Ontario government must provide anonymous HIV testing services throughout the province.

Ontario has failed to co-ordinate or manage treatment care for HIV infection. Delivery of primary care is in crisis. Physicians with large HIV practices are overloaded. Many are accepting no more patients. The Ontario government must take responsibility for the delivery of medical treatment to people with AIDS and HIV infection.

Ontario has failed to develop standards of care for treatment of people with AIDS or HIV. As a result, people in prison, people in hospital, people receiving home care and others are at risk due to inconsistent and inadequate treatment. The Ontario government must develop the highest possible standards for HIV treatment for all its institutions and services.

Ontario has failed to involve people living with AIDS and HIV in developing policies and making decisions that affect their lives. The Ontario government must appoint people living with AIDS and HIV who are accountable to people living with AIDS in the community.

Ontario has shown no leadership, no commitment and no responsibility in helping people infected with HIV fight the disease.

HIGHWAY SAFETY

Mr J. M. Johnson: This government has made a commitment to the people of Ontario to improve highway safety and to implement

programs that would reduce the number of accidents that occur on our highways. I commend the government on this initiative and would assume that the installation of traffic signals at dangerous intersections would fall in this category.

Ministry of Transportation officials from London district have identified that there is such a dangerous location in Erin township, Wellington county, at the intersection of Highway 24 and Highway 25, and are prepared to initiate the necessary procedures to install traffic signals. However, they fear some delays may be experienced before construction is initiated on the site.

If the delays are caused by lack of funding, I would hope that the government would honour its commitment to improve highway safety and give speedy approval to this project before any more of my constituents, and the travelling public in general, become the innocent accident victims of this dangerous intersection, which will become even more dangerous with the onset of winter.

TRENT UNIVERSITY

Mr Adams: Trent University was founded 25 years ago following a major community campaign. People in the Peterborough area wanted a university that would both serve their region and make a major contribution to higher learning across Canada and abroad. This is indeed what they have today.

Trent is Ontario's most distinctive university. It is by far the smallest university we have. Its focus on high-quality undergraduate education is very special, as is its thriving college system. It serves local needs through campuses in Peterborough and Oshawa, while drawing more than 80 per cent of its students from farther afield. Its international program attracts students from 63 countries.

Trent pioneered programs in Canadian studies and native studies. It has a growing reputation for research and teaching related to the environment.

After 25 years, Trent is a vital illustration of the power of two expressions that were current in the 1960s, the decade in which the university was founded. One is, "Small is beautiful," and the other is, "Think global, act local."

Peterborough can be proud of the global roles of its community project, Trent University. Happy anniversary, Trent.

SUPPORT AND CUSTODY ENFORCEMENT

Miss Martel: The Support and Custody Enforcement Act was proclaimed on 1 July 1987. The intent was to decrease the excessively high rates of defaults in support payments in Ontario. Further, it was hoped public attitudes would change so that default on support payments would no longer be considered acceptable. Eight enforcement offices were established in Ontario pursuant to the act.

While I support the intent of the act, I have been less than happy with the concerns raised regarding the Sudbury regional office. These include the office policy of allowing employees to withhold their last names from clients, making it impossible for clients to identify who they are dealing with. Given that in April at least three employees shared the same first name with at least one other person, and in one case with two other people, it becomes totally impossible for clients or MPPs to deal with the office.

Second, we have received many complaints regarding a lack of courtesy displayed in dealing with clients. It is not easy to deal with the public, but the concerns raised regarding this office are far in excess of any other agency I contact.

Third, support orders are not being enforced effectively or efficiently and the backlog is now out of control. In my office I have over 30 cases on file, and the latest of these involve defaults in payment with no action being taken to resolve the problem.

The Attorney General (Mr Scott) has yet to deal with the act. If all court orders must be filed, then more money and more workers are required. Otherwise, the whole intent of the act and expectations will be undermined.

ALTERNATIVE FUELS

Mr Villeneuve: Members of this assembly should know that after the Minister of the Environment (Mr Bradley) spoke to the annual meeting of the Ontario Federation of Agriculture here in Toronto yesterday, the first two questions directed at him concerned fuel ethanol.

Although this government has talked about cleaner fuels, it has done nothing and the minister's answers yesterday that fuel alcohol may be worth pursuing hold very little hope of any real actions.

According to US clean air standards for carbon monoxide, industries in Toronto would have

been shut down 11 times last winter because they were over the limit. Carbon monoxide emissions are caused by unburned fuel, which increases in colder weather. Fuel burned is increased by adding alcohol, which contains oxygen. In fact, some US states require at least two per cent oxygen in winter fuels.

As pointed out to the Premier (Mr Peterson) by my colleague the member for Mississauga South (Mrs Marland) last February, the Ontario cabinet passed a regulation reducing oxygen content to no more than 0.05 per cent in fuel. To make matters worse, the MMT octane enhancer presently used in today's fuels promotes the creation of benzene, which is carcinogen.

This government bases its acceptance of the safety of MMT on a committee report on which half the members represented are oil companies or MMT importers.

It is time for cleaner fuels in Ontario. We know how to do it. Let's clear the air.

The Speaker: There are quite a number of private conversations. They may be necessary, but they are quite noisy.

1340

PASSENGER RAIL SERVICES

Mr D. R. Cooke: On 25 October of this year, I called on CN and CP Rail to fulfil their obligations under the National Transportation Act and the 1978 order in council which mandate them to fulfil any duties and obligations Via Rail cannot fulfil. I am sorry to report to the House that both CN and CP have responded by denying their responsibility to pick up the lines Via has been ordered to abandon.

These rail line abandonments have been ordered despite the fact that Via Rail's own report to cabinet this summer shows how it could make money on the north main line route between Toronto and London and improve ridership by 48 per cent as opposed to cutting services and thereby losing 62 per cent of its passengers and creating a \$3-billion loss over the next 20 years.

This week the city of Kitchener allotted \$10,000 to fight Via Rail cuts in the hope that other municipalities across Canada will join in the fight to save our national rail passenger service.

I applaud Kitchener and I applaud Brantford for taking the lead in this fight and I invite other municipalities to join the fight by launching an action in Federal Court to stop the federal government's cuts to what could be a world-class passenger rail system.

TAX COLLECTION

Mr Hampton: As we all know, the government of Ontario is extremely capable when it comes to imposing and collecting taxes in Ontario. It taxes gasoline at the pump, new tires both at sale and when they are on new cars, and imposes a hefty eight per cent sales tax at the point of sale.

For some reason, however, this government neglects to collect taxes that are legally due when purchases are made over the border. It is this neglect in collecting a tax that is causing a problem for merchants in many communities who live along the US border. For example, in my constituency, you have the community of Rainy River, the community of Fort Frances near Thunder Bay and the community of Pigeon River. In all of those communities, individuals are able to purchase goods in Minnesota or Michigan and then return across the border.

At the border, they are hit with the federal sales tax and legally they are supposed to pay the provincial sales tax. However, for some reason this government has neglected to put in place the mechanisms that would enable that tax to be collected.

Imagine the situation a merchant finds himself in wherever he has competition across the border from Ontario in the United States. He is immediately at an eight per cent disadvantage. When will the government do its job?

UNCERTIFIED LABOUR

Mr Harris: I rise today to draw attention to flagrant violations of the Apprenticeship and Tradesmen's Qualification Act with respect to the use of uncertified labour in Ontario, and its virtual nonenforcement by the Ministry of Skills Development.

Last year there were 2,000 reported violations, with only nine charges laid and seven convictions. This lack of enforcement has many implications in terms of safety and quality of work. It means the ministry is forcing many contractors to bid for work against others who employ few, if any, tradespeople. It is also unfair to skilled tradesmen who are licensed as required by law.

This matter has already been dealt with by the Ombudsman, who has made recommendations to the ministry about how to deal with the shortage of certified tradespeople. Apparently, it has fallen on deaf ears. In the meantime, there is already a law, a good law that is not being enforced by the ministry.

Because skilled tradespeople are concerned about the lack of action by the Peterson government, they have decided to come to Queen's Park on 13 December under the sponsorship of the United Auto Workers, Local 463, to press for changes.

After two years of posturing, it is time this government dealt with this serious issue. Without enforcement, certification and laws regulating trades are meaningless. Without certification and regulation, safety and job quality cannot be assured.

Surely the people of Ontario deserve better.

NANCY SWEETNAM

Mr Eakins: I am delighted and honoured to join with members of this assembly and indeed all citizens of Ontario in congratulating Nancy Sweetnam of Lindsay for her outstanding achievement in swimming and thereby winning the right to represent Canada at the Commonwealth Games in New Zealand from 24 January to 3 February.

I am very proud to say that this 16-year-old grade 11 student won the 100-metre butterfly competition on Monday and the 400-metre individual medley on Saturday at the Commonwealth Games trials in Montreal.

Miss Sweetnam is the product of the Lindsay Lightning Bolts swim club and her mother Marian is her coach. Their hard work and dedication to swimming have certainly paid off.

Nancy has certainly made all of us in Victoria-Haliburton proud of her, and in fact all of Ontario proud of her. I would like to take this opportunity to add my personal congratulations and best wishes for continued success at the upcoming Commonwealth Games. Well done, Nancy.

STATEMENTS BY THE MINISTRY

TRANSFER PAYMENTS

Hon R. F. Nixon: I am pleased to announce today the funding levels for major transfer programs for the 1990-91 fiscal year. These transfers provide financial support to Ontario's universities, colleges, school boards, hospitals and municipalities.

The announcement of major transfer levels at this time allows our post-secondary institutions and hospitals to plan more effectively for the year ahead.

In the case of school boards and municipalities, the fiscal year begins on 1 January. Early announcement of funding levels enables them to

prepare their budgets based on knowledge of the provincial transfers they will be receiving.

The determination of funding levels for the major transfer programs also has important implications for the province. The major transfers account for more than 40 per cent of the province's expenditures. This announcement therefore is an important part of the government's overall budget process.

In 1990-91, operating grants to universities will increase by eight per cent to \$1.8 billion. Operating grants to colleges of applied arts and technology also will increase by eight per cent to \$754 million. Included in these amounts is funding for enrolment growth. Capital funding for universities and colleges will amount to more than \$122 million in 1990-91.

My colleague the Minister of Colleges and Universities (Mr Conway) will announce details of these transfers and tuition fees later today.

School boards will receive an 8.7 per cent increase in their operating funding, bringing their total allocation to more than \$4.5 billion. Included in this amount is funding for past throne speech and budget initiatives regarding junior and senior kindergarten, and a more equitable sharing of the local base between school boards in the same area. Capital grants to school boards will increase by \$22 million to a total of \$332 million.

Mr Harris: You didn't put a percentage on that.

Hon R. F. Nixon: The member should put the percentage on a basis of what his government used to pay them compared to ours, and that is quite an impressive figure.

The 1990-91 operating allocation for hospitals will increase by over \$500 million, or 8.7 per cent, to more than \$6.5 billion. Included in this amount is funding for workload increases, life support programs and new and expanding programs such as cancer and cardiac services. This announcement also provides further support for the transitional funding measures announced by the Minister of Health (Mrs Caplan) during the past year.

The capital allocation to hospitals will increase by more than 30 per cent to \$250 million, resulting in an overall increase in provincial support for hospitals of 9.4 per cent.

Transfer payments to municipalities will increase by 8.2 per cent in 1990-91, to \$4.9 billion. Within this overall allocation, operating transfers for health and social service programs will increase by 9.6 per cent to more than \$1.9 billion. Unconditional grants to municipalities

will increase by 4.8 per cent to more than \$900 million. Capital funding for municipalities will also increase. For example, municipal road grants will increase by 11 per cent to \$751 million, and environmental project grants will increase by nine per cent to \$187 million.

My cabinet colleagues will provide more information on these transfer announcements in due course.

With the announcements I am making today, total funding for our major transfer partners will amount to more than \$19.2 billion in 1990-91. This allocation reflects the government's continuing commitment to the universities, colleges, school boards, hospitals and municipalities of this province and to the people they serve.

1350

TRANSFER PAYMENTS TO HOSPITALS

Hon Mrs Caplan: I am pleased to announce that Ontario hospitals will receive more than \$6.75 billion in overall funding in the 1990-91 fiscal year.

Last year, operating funds accounted for \$6 billion. A \$500-million increase in the coming fiscal year represents an increase of 8.7 per cent in operating funds.

Provincial support for hospital capital projects will rise by more than 30 per cent to \$250 million in 1990-91.

The increase in operational funding will not only provide for existing services, but will also recognize workload pressures in hospitals and provide funds for growth and enhancements across the system.

Hospitals have become actively involved in improving their delivery of services with the resources allocated to them. I am pleased with the progress and overall direction taken by hospitals in this area.

Over the past year, we have been working closely with the Ontario Hospital Association to improve the hospital funding system. Our joint goal is a fair and effective operational funding system. To move us towards that goal, the Ontario Hospital Association and the ministry have been working together on a transitional funding program. I want to thank the Ontario Hospital Association for its active participation and support and I am pleased to announce that funding will be provided to continue this transitional funding initiative.

We are making incremental changes to the system to help it respond better to the real needs of hospitals and their communities without causing significant disruption in their operations.

Money is being allocated to the three major types of transitional funding: growth funding, equity funding and incentive funding.

The \$250 million in capital funding is another indication of my ministry's commitment to effective quality care in our hospitals. This represents more than a 30 per cent increase in capital spending over the amount spent last year.

We anticipate approximately one third of the funding will go to meet capital needs for our expanding services: cancer, cardiovascular, emergency, critical care and other specialty care programs, as highlighted in the throne speech. The balance will be applied to a variety of projects across the province.

I believe these substantial increases for our institutional sector will help to maintain and enhance the high-quality health care system we have built in this province and of which we have every right to be proud.

TRANSFER PAYMENTS TO SCHOOL BOARDS

Hon Mr Conway: I have two statements. The first concerns school boards. I am pleased to provide additional information on the increase in funding to Ontario school boards for fiscal 1990-91 announced in the Treasurer's just completed statement.

As my colleague has just indicated, the Ontario government's increased operating grants to school boards for the fiscal year 1990-91 will total more than \$4.5 billion. That is an increase of \$363 million or 8.7 per cent over the 1989-90 allocation.

In the 1990-91 transfer, additional support is included for the throne speech initiatives, which were designed to improve the educational opportunities for children in the critical early years.

These programs include meeting our goal of reducing class size in grades 1 and 2 by September 1990 to an average of 20 pupils in these very important early years.

We will also increase our support for computers in education and learning materials and will take the first important step in making junior and senior kindergarten available to all four- and five-year-olds across the province.

In addition, \$30 million will be made available to address the impact of the first year of a six-year phase-in of pooling, which will provide a more equitable sharing of the local tax base between school boards in the same local area.

The overall 8.7 per cent increase in operating grants will also provide additional funding in support of the basic per pupil grant, which will

assist school boards with enrolment growth and other costs.

As members are aware, the level of grant to individual school boards will vary from the global 8.7 per cent increase in grants. This established practice allows the grant funding formula to reflect an individual school board's enrolment and local wealth. A school board's grant will, therefore, increase or decrease according to the changes in these two important variables.

I am also pleased to announce that this government will increase the capital allocation to school boards by \$22 million to \$332 million in fiscal 1990-91. To further assist school boards, \$300 million of this amount will be advanced to them before 1 April 1990.

I say to my friends opposite, when this government assumed office in 1985 it made a commitment to provide a quality educational experience to all Ontarians. Since then, we have met that challenge by increasing operating grants to Ontario school boards by \$1.3 billion, a full 41 per cent over and above what was there in 1985, and by increasing capital grants by \$258 million or 350 per cent.

TRANSFER PAYMENTS FOR POST-SECONDARY EDUCATION

Hon Mr Conway: My second statement concerns the post-secondary educational community. I am pleased as well to elaborate here on the Treasurer's announcement of increased funding to the post-secondary educational sector.

In 1990-91, the government of Ontario will provide more than \$1.8 billion in operating grants to the province's universities and related institutions. This amount represents an increase of \$134 million, or eight per cent, over the total operating support provided in the fiscal year 1989-90.

Since assuming office in 1985, our government has increased by 45 per cent our support for universities by adding an additional \$560.5 million to the operating grants for that sector. This increased funding will honour the government's commitment to enrolment growth, increased accessibility for disabled persons and an extension of French-language and bilingual programs.

In addition, this allocation will allow our universities to appoint 60 new faculty members, thereby meeting our faculty renewal program goal of hiring 500 new people over a five-year period ending in 1990. The Ontario Council on University Affairs will provide advice on the

distribution of these funds and individual institutions will be informed of their allocations in the new year.

This province's colleges of applied arts and technology also play an important part in our educational system, and I am pleased to announce that this government will provide \$754.4 million in operating grants to Ontario's 23 community colleges. This is an increase of \$56 million or eight per cent over the previous year's funding and an increase of \$266.6 million or 54.7 per cent over the 1985 levels.

This increased support includes an injection of funds which will be distributed in the form of specific-purpose grants intended to enhance both the quality of and the accessibility to college programming. The details of these grants will be announced in the near future.

As well, I am pleased to announce that we will provide \$122.7 million for capital grants to the post-secondary institutions. This will include an allocation of \$12.7 million in capital assistance for la Cité collégiale under the federal-provincial agreement. This represents an increase of 11.5 per cent over the 1989-90 capital allocation. I will be making announcements of the allocation of these capital funds in the near future.

These increases in both operating and capital grants clearly demonstrate this government's ongoing commitment to an accessible post-secondary education by substantially raising transfer payments to both colleges and universities.

I am announcing today that the standard tuition fee rates for colleges and universities will be increased by eight per cent in fiscal 1990-91 so as to remain in line with the increased operating grants announced for that period of time. These new fees will be eligible for OSAP assistance.

1400

TRANSFER PAYMENTS TO MUNICIPALITIES

Hon Mr Sweeney: The Treasurer has announced that transfer payments to municipalities in 1990 will total approximately \$4.9 billion. This includes an increase of 8.2 per cent. Of that total transfer, \$914 million will be paid to the municipalities in the form of unconditional grants. These are grants to be spent by municipalities according to their own needs and their own priorities. This represents an increase of \$42 million or approximately 4.8 per cent over the previous year.

Across Ontario next year, unconditional grants will amount to about \$240 per household.

I would now like to inform members about some important changes being made to the unconditional grants program this year.

First, we have more clearly targeted the resource equalization grant to ensure that it is paid only to those municipalities that have a below-average tax base.

Second, we are eliminating the density-per-household grant paid to some municipalities within regions.

Third, in the past, certain grants under this program were calculated on a formula which included the unconditional grants paid to the municipality in the prior year. In effect, municipalities were paid grants based on the previous grants. In 1990, the prior year's grant will not be included in the calculation. However, the grant rates will be increased to compensate for this change in the formula.

These changes are being made in consultation with my Advisory Committee on Provincial-Municipal Financing Matters, which includes representatives from the municipal sector. I am pleased to note in the east gallery the presence of Grant Hopcroft, the president of the Association of Municipalities of Ontario and a member of that committee.

That committee has reviewed several components of the program and will continue its review with the goal of recommending further reforms. Those reforms are part of a larger review of the whole system by which the province provides grants to municipalities. The purpose is to bring the system up to date, so it will be more equitable in meeting today's municipal needs.

These changes in the 1990 program will result in some redistribution of the available grants, but no municipality will receive less unconditional grant funding in 1990 than it received in 1989.

As well, today's changes will see additional financial assistance going to those areas of the province where infrastructure financing is putting significant financial pressures on municipalities. Exact details of these grants will be forwarded to municipalities within the next few days.

The current unconditional grants legislation was implemented in 1973. However, the system of calculating the grant must reflect the changing needs municipalities face today. What has been announced today is the first step in meeting those changing needs. Over the next year, this government will work with municipalities to produce a fair and responsible reform of the unconditional grants package.

RESPONSES

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr Laughren: We welcome the announcement by the Treasurer on the grants to the various institutions in the province. I do think a couple of comments would put some of the numbers in perspective, however.

The unconditional grants to municipalities, for example, is a particularly strange announcement, particularly given the remarks of the minister, because as most people know, and everyone at the municipal level certainly knows, those grants were frozen last year. So to say that this year no one is going to receive less than they did last year really is a very strange comment to make.

As a matter of fact, just to have kept up with the consumer price index, rather than the \$914 million, the municipalities should have received \$965 million, so the minister is not doing anybody a big favour by simply bottling up the demands for one year and then giving them the grants the following year.

It is the same with the municipal roads grants: while some of the numbers look big, once again the municipal roads grants were frozen last year as well, so all the minister is doing is playing catch-up from the previous year.

Of course, that does not take into consideration the fact that the government has foisted upon the municipalities the whole problem of courthouse security. It has to put a cap on the grants to the day care operators and to the extended-care funding for the homes for the aged, as well.

TRANSFER PAYMENTS TO HOSPITALS

Mr Laughren: I will make a brief comment about the hospital funding. This government continues day after day to show that it is committed to the institutions in a funny kind of way—as a matter of fact, an overreliance on institutional funding at the expense of community-based and preventive health care. Members do not have to take my word for that. They simply need to read the auditor's report from yesterday, in which he indicated that York Finch General Hospital in North York—an acute care hospital—has 15 per cent of its beds being occupied by chronic care patients. That is some kind of commitment to chronic care and home-based care.

The government simply has to get out of that model of institutional care and start addressing the needs of community-based chronic care and

preventive care. At this point, it is simply not doing that. When I look at the amount of taxes the Treasurer has imposed and their regressive nature, it is no wonder he is increasingly being known across Ontario as Maximum Bob.

TRANSFER PAYMENTS TO SCHOOL BOARDS

Mr Allen: Responding to the statements by the Minister of Education and Minister of Colleges and Universities, the school boards that have received barely inflation level increases recently from this government will not be entirely excited by an increase in transfers which amounts to only 2.7 percentage points above the inflation rate that is expected this coming year.

If I might comment on two elements, let us take away the window-dressing comments. On the \$30 million to be made available to address the impact of a first year of the six-year phase-in of pooling, it is becoming more and more clear that this whole project is essentially a way of reducing commitment to the public boards by ignoring inflation and commercial growth over the six-year period. Even at present estimates, this \$30 million ought to be at least \$40 million-plus in order to make up the actual losses of the boards as measured by the 1989 assessments, which will be looked at in detail later, but which, as indications indicate, would be the difference.

With respect to the capital allocations, \$22 million—what is that? One composite high school for the whole of the province? Really. The minister knows very well that he has dropped his own commitments to capital from 75 per cent to 60 per cent. When he spreads it all across the school boards, he should in fact be increasing it at least by \$65 million in order just to break even with what he was transferring last year in the capital sector.

TRANSFER PAYMENTS FOR POST-SECONDARY EDUCATION

Mr Allen: As far as the university and post-secondary transfers are concerned, perhaps I should content myself with simply saying that university funding in this province for the last number of years, and including this last year, has been in 9th and 10th place across the systems of the country as a whole and that this increase really will not lift this provincial system out of the last-place stance which it has across the country. Other systems have been increasing at greater rates than this and our universities need a

lot more than this even to keep equal with the rest of the country.

TRANSFER PAYMENTS

Mr Pope: I would like to reply to the statement of the Treasurer. I find it somewhat ironic to have the Treasurer make the kind of statement he did today in light of the statement he made a year ago. It was 12 December 1988 when the Treasurer said, "The funding I am announcing today is in keeping with the sustainable rates of growth we forecast for the economy, while the rates of increase in grants will be moderate due to the declining rate of increase in economic growth," and on and on.

Last year the Treasurer cut back in the rates of increases in transfer payments across the board for virtually all of our basic services in this province administered by school boards, hospitals and municipalities. He cut it back because his own forecast showed that real growth would decline from 5.6 per cent in 1988 to 2.8 per cent in 1989. Using that logic of decline in real growth for the province, he reduced the rate of increase to the transfer payments accordingly and in fact flat-lined the municipalities. I think it is important to underline that—he flat-lined the municipalities.

Now we see that the rate of growth, according to his own document, is to be two per cent and somehow some other political imperative has taken over and we see a whole new strategy and a whole new principle of allocation from this Treasurer—totally inconsistent messages with respect to economic policy, and that inconsistency is sending the wrong signals out to investors who want to come into this province. It is sending the wrong signals out to the deliverers of basic services to the people of this province.

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It is clear that as a result of the policies of this Treasurer and this government we have seen a decline in services to the people of this province: a reduction in OPP detachment strength; 7,500 portables with over 200,000 students in them; inadequate access for our students and our children to post-secondary education, and the absolute destruction of a world-class health care system, with people having to go outside of this province.

At the same time, this Treasurer has whacked us for over \$1 billion in tax increases for two successive years. We are being taxed to death by this Treasurer. His rate of increase in spending is 10 per cent last year alone, and at the same time, the basics that the people of this province have a

right to expect are going to hell in a handbasket under this Liberal administration.

Interjections.

The Speaker: Order.

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr McCague: I have been telling the people of the province that we have a reasonably good Minister of Municipal Affairs and that he could get more money out of the Treasurer than anybody else. I am sorry the minister was so unsuccessful and could get only 4.8 per cent for the municipalities, which got no increase last year. The Treasurer is still the parsimonious farmer from St George.

TRANSFER PAYMENTS TO HOSPITALS

Mr Eves: I would like to respond briefly to the statement by the Minister of Health by pointing out to her that of her \$500 million increase in operating grants, by the calculations of the Ontario Hospital Association, \$441 million of that will cover inflation, her government's pay equity package and her government's employer health tax. That leaves them new money of \$9 million of her \$500 million.

We would presume on this side of the House that the minister's \$250 million for capital expenditures is in excess of or above and beyond her predecessor's commitment of \$850 million over seven years. We presume that by this the minister will now be able to deliver on her commitment of 4,400 new beds to the province.

I presume that her ministry is totally up to date with respect to requests for funding and programs from every hospital in the province, and not two years behind like she was a year ago at this time. I presume there will no longer be a shortage of intensive care unit nurses or radiotherapy technologists in Ontario.

TRANSFER PAYMENTS TO SCHOOL BOARDS

Mr Jackson: As has become the custom, the Minister of Education has again tabled a document—a public relations gesture—which the members of his caucus can hide behind during the Christmas season, but in fact there are certain elements of the truth missing from this document.

The minister would front a notion of 8.5 per cent as an increase. Obviously he has not listened to the school boards in this province which have told him that inflation will be 6 per cent, there will be a 2 per cent increase for enrolment, a 0.5

per cent increase for pay equity, 1 per cent for the employer health tax, 1 per cent for pooling of industrial/commercial assessment and the transfer to the separate boards, 0.5 per cent for unemployment insurance and 1 per cent for provincial government initiatives.

In truth, the minister is only going to give school boards less than four per cent.

ORAL QUESTIONS

YORK REGION LAND DEVELOPMENT

Mr Philip: In the absence of the Premier (Mr Peterson), I will direct my question to the Deputy Premier.

The staff of the Ministry of Municipal Affairs prepared a cabinet submission to the then minister recommending a public inquiry into the development of York region. We now know that the recommendation was killed by the Premier's chief political fixer, Gordon Ashworth, in a meeting on 4 February 1989.

I ask the Deputy Premier, does he think it appropriate that the executive director of the Office of the Premier play such a role and have such authority?

Hon R. F. Nixon: I would like to ask the Minister of Municipal Affairs to respond to the question.

Hon Mr Sweeney: The particular issue that the honourable member speaks to was one that was placed before my predecessor along with two other options. At the time that the previous minister had asked his staff to define three options for him, he clearly indicated to them that he wanted background information that he could use, depending upon which option he moved forward with. This was discussed with other people. He did not choose to make the decision solely by himself, at least in terms of the discussion.

However, in talking to my staff at the present time, I understand that the minister finally made the decision himself. Somebody else did not make it. He made it on the basis of the information that was available to him. He made it on the basis of the fact that the police had conducted, I believe, an 11-month review and had not been able to substantiate what they felt were serious concerns. On the basis of that he decided that the most appropriate option to use was the administrative review, which in fact would change the practices in the municipality under concern, and that is exactly what happened.

Mr Philip: This document, which is a cabinet submission, was not submitted to cabinet. Instead, it went to Gordon Ashworth. The minister will know that the key players in the development industry—

Interjections.

The Speaker: Order.

Mr Philip: The minister will know that the key players in the development industry in the region of York were also the biggest bagmen for the Liberal Party in the 1987 campaign. He will also know that one of those people, Marco Muzzo, was instrumental in the purchase of the Premier's family business.

Does the minister not agree that people would find it troubling that the Premier's chief political troubleshooter would be the person saying no, rather than the cabinet, to a submission like this?

Hon Mr Sweeney: I would point out to my honourable colleague that ministers prepare submissions to cabinet on a regular basis. That is not unusual. I would tell him, however, that on numerous occasions they do not go forward to cabinet; therefore, they do not become cabinet submissions.

There are all kinds of reasons for that. There is information that is available at a point in time that does not carry itself out and the minister chooses not to carry it forward. It is not unusual for a minister to discuss with members of the Premier's staff certain contingency plans or elements of a decision they are trying to make.

But in the final analysis, it is the minister himself or herself who makes that decision as to whether or not to proceed. It is not someone else who makes that decision.

Mr Philip: I am sure the minister, with his experience, would agree that if a problem is of a major nature, it would normally go to cabinet. If it is of a minor policy nature, it would at least go to the minister, have an extensive review by him and the final decision made by the minister. If it is a legal problem, it would go to the Attorney General.

Is it not true that the only problem that would be referred to Mr Ashworth would be a political problem, a problem then for the Liberal Party and a problem for the Premier, and that is what has happened in this case?

Hon Mr Sweeney: I can assure my honourable colleague that his latter statement is not the case. As a minister for roughly the past four and a half years, I call up members of the Premier's staff on a fairly regular basis to get some sense about particular issues. I can tell him very clearly

that nine out of 10 of those calls would have nothing to do with what he calls "a political nature," unless he means small-p politics, which involves everything we do around this place.

We do consult. I consult with other members of the cabinet on the impact it will have on them, depending upon the decisions I am thinking of. But in the final analysis, I look at all the information that is available to me and I make a decision.

I think the honourable member would appreciate the fact that the cabinet used to meet once a week; now it meets once every two weeks. We as ministers are expected to make the bulk of the decisions ourselves, not taking them to cabinet. That is our call to make, as to whether we take it to cabinet. In this particular situation, the minister chose to make—

The Speaker: Order. Thank you.

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HOSPITAL SERVICES

Mr Allen: In the absence of the Premier (Mr Peterson), I will direct my question to the Minister of Health.

In response to a question on 12 October 1989 about the death of Mrs Lacroix after a vain search for a critical care bed, the Premier said in this House—and the minister will remember the words—"...there is a system in place, but the system was not used." Then he repeated again, "It was there, but for some reason the people involved did not avail themselves of that service." And again, "Why was that system which is in place, and, to the best of my knowledge, functions well most of the time, not used." And again, "...but the system was there."

The question is, why was it not used? I want to ask the minister, in light of the evidence that is now coming out in the inquest with respect to the death of Mrs Lacroix, is she prepared to admit that the advice that she and the Premier gave does not correspond to the facts of the situation?

Hon Mrs Caplan: As the member opposite knows, there is an inquest under way which is a fact-finding exercise. I believe it would be inappropriate for me to prejudge the determinations of that inquest. In fact, I would say to him that it would be inappropriate for any of us in this forum to comment on an inquest while it was ongoing.

Mr Allen: The minister knows quite well, and I am quite astonished, that she is not being straightforward with this House. On almost exactly the same date she was telling us that it was not going to be until the year's end that the

regional hotlines would be in place that would provide the basis for a provincial hotline service.

She knows very well that she can comment on facts that pertain to this situation. I will ask a second supplementary with respect to the real problem, which is that the emergency ward situation we are faced with is a direct product of the shortage of nurses. We have had recent articles in the paper by people like Dr John Oysten, who has been around emergency wards in this city for some time and can testify to that, among others.

The cases we have raised in this House have repeatedly indicated that nurses in neonatal care intensive care units in London and Hamilton, trauma cases transferred to Toronto—

The Speaker: Your question.

Mr Allen: —all have suffered from this particular problem. A ministry source tells us—

The Speaker: Your question.

Mr Allen: —that the minister is aware of a study in her ministry which indicates that acute care and critical care nursing together account for 67 per cent of the overall nursing shortage in Ontario. Can the minister confirm that figure for us, please?

Hon Mrs Caplan: The member opposite, in his very lengthy question, suggested that I was not being forthright with this House. I want to be very clear. In the question he asked, he referred to the establishment of provincial critical care hotlines. I was very clear in June when I announced an \$18-million, province-wide program to enhance the quality of emergency health services. In response to that, he would know, my colleague the member opposite from the third party said he did not think we had to spend \$18 million to come to commonsense conclusions and that any doctor whom he had dealt with—that is, the member for Parry Sound (Mr Eves)—"certainly knows what hospital to call and what other specialized physician to contact in terms of needing specialized care." That is a quote.

What I would say to the member who has asked this question is that in fact at that time we announced we would be establishing regional province-wide regional critical care hotlines. I am told that the first regional hotline should be in place by the end of this year and that ministry staff are working to establish the others as soon as possible.

Mr Allen: The minister still is not being straightforward with this House, because she knows very well there was no system in place that

could have been used by Dr Nesdoly. It has been repeated time and time again—

The Speaker: And the supplementary?

Mr Allen: I want to come back to the minister on a question which she failed to answer on my supplementary. The minister apparently has in her ministry a study which tells her that there is a grave shortage and that in fact the shortage is so severe with respect to acute care and critical care beds that it constitutes 67 per cent of the nursing shortage all across the hospital system in Ontario. Is the minister going to confirm that information for us, or are we going to have to try to find it out in more authoritative ways?

Hon Mrs Caplan: As I mentioned to the member opposite, we have taken a number of initiatives in the area of nursing. We have appointed a nursing co-ordinator, and we have brought forward regulations under the Public Hospitals Act to ensure that nurses participate and have a greater say in hospital decision-making. As well, I met recently with the ministry's Advisory Committee on Nursing Manpower to discuss many of the issues facing nursing.

One of the things that the member opposite should know is that we have enhanced and expanded services across this province in a number of ways which raise the issue of the importance of human resource and manpower planning. That is something we are attempting to improve upon in this province, not only in nursing but also in the allied health professionals.

I would say to him that he can rest assured that with the research we are having done through the Advisory Committee on the Quality of Working Life and through our nursing initiatives and nursing innovation fund, we will gather the data that are necessary to ensure that we plan properly for the future not only in areas of service delivery but also in human resource planning, and in nursing in particular, in this province.

YORK REGION LAND DEVELOPMENT

Mr Brandt: My question is for the Solicitor General. I want to ask him if he could advise this House about the February meeting that was held in connection with the York Region development questions. Can the minister share with this House whether the OPP was in attendance at the meeting that was held with the former Minister of Municipal Affairs and the principal assistant to the Premier, Gordon Ashworth? Is the Solicitor General aware of whether the OPP was there?

Hon Mr Offer: In response to the question of the leader of third party, I would like to clearly

indicate that after this allegation was made there was an investigation or an inquiry made through the ministry. I have been advised that there was no such presence.

Mr Brandt: Further to that same question, I wonder if the minister could advise if he is saying without any equivocation that the OPP was not in attendance with the former minister and with the principal secretary to the Premier. Could the minister indicate whether there was any discussion and/or dialogue at any other times in connection with the OPP, the minister in question or the principal secretary, Mr Ashworth, regarding this subject?

Hon Mr Offer: Once more, I would like to indicate that I have inquired dealing with this particular inference or allegation, and I would like to state once again that I have been advised there was no such presence; the investigation, 13 months in duration, was done in the normal and thorough course.

Mr Brandt: The minister is advising this House that particular situation took the normal and thorough course, which I trust covered the cabinet guidelines as they relate to this particular question. The cabinet guidelines clearly state that "With the exception of the Attorney General and the Solicitor General in the performance of their duties, no member of cabinet may communicate with police officials concerning the decision by the police to lay a charge or charges."

Something happened, because in February there was a meeting that obviously resulted in a decision to not proceed further at that particular point; the earlier memo that was shared by the former Minister of Municipal Affairs clearly indicated there were sufficient grounds upon which to proceed at that time and there was an inquiry being made by the minister as to whether or not he should determine whether a full inquiry was to be held.

The Speaker: And do you have a question?

Mr Brandt: I wonder if the minister could share with us at this time, to be absolutely certain, that he will state without any question whatever that the OPP had no contact with any minister of the government in connection with this question.

Hon Mr Offer: The honourable leader of the third party may wish to ask me this question three, four, 10 or 15 times and in whatever way he wishes to rephrase the question. My response will remain the same, and that is, I have asked my officials to make that determination. They have advised me that there was no such presence; that

the investigation was done in the usual and normal and thorough course by the OPP, as is done by all regional and municipal police forces across this province in dealing with any investigation.

The honourable member may ask me the question as many times as he wishes. The response will always be the same, because that happens to be the fact.

1430

TRANSFER PAYMENTS TO MUNICIPALITIES

Mr Pope: I have a question for the Treasurer, arising out of his announcement today about how the government intends to allocate our tax dollars. The Treasurer is aware that he has been responsible for significant tax increases that we all have to bear in the province of Ontario, to the tune of \$1 billion over the past two years. He is aware of growing concern in the business community and from the average citizens about the impact of his tax increases on people's economic livelihoods and on the ability of many public institutions to deliver basic services to the people of this province.

My question is, the Treasurer has announced this year an increase of 4.8 per cent in unconditional grants to municipalities, on top of his flat-lining of the grants from last year, at the very time when his own documentation, his own statistics indicate inflation last year was 5.9 per cent and this coming year will be 5.3 per cent. Can the Treasurer indicate how he can justify a 4.8 per cent increase over a two-year period, in light of his own tax increases to the citizens of this province, and how municipalities can carry on basic services?

Hon R. F. Nixon: The 4.8 per cent, we feel, is a realistic and justifiable increase on unconditional grants. Obviously, I cannot say it is keeping pace with inflation. That speaks for itself. The honourable member said in his earlier remarks that he thought the rule that he thought I had laid down last year would indicate the grants should be lower. But his colleagues, who have already spoken on this, indicate they think the grants should be higher. I think perhaps those people should caucus and get their act together.

Mr Pope: In light of the comments of the Treasurer and the principles he used last year and the principles he has announced this year, driven by the dictates of politics, it is he who should get his act together, because he has two inconsistent economic theories in two straight transfer statements in two straight years. So it is the Treasurer

who had better get his act together, and he had better give a clear signal as to what his principles and policies are.

The Speaker: Order. I appreciate that the question is coming. However, I might suggest that it is helpful if all members place their comments through the chair. If you wish to point, please point at the chair, too.

Mr Pope: Can the Treasurer indicate how municipalities are supposed to provide basic municipal services and, at the same time, meet the requirements that are now being foisted and offloaded on to municipalities by this government with respect to court security, with respect to Sunday shopping enforcement, with respect to the municipal-industrial strategy for abatement, with respect to the employer health tax, with respect to the homes for the aged obligations they now have?

Mr Brandt: Pay equity.

Mr Pope: Pay equity. How can municipalities even supply basic services to the citizens of this province and, at the same time, meet these additional responsibilities in light of his transfer policies?

Hon R. F. Nixon: I believe that the municipalities have done very well under difficult circumstances in providing the services in the past, as they will in the future. These men and women are elected and they are often critical of decisions taken by myself, just as they were critical, and we were critical, of decisions taken by the honourable member and his colleagues when they had that responsibility.

But he asks, more or less, what rules we apply. I suppose they are rules of good judgement. The honourable member should know that, in the unconditional grants, the Minister of Municipal Affairs (Mr Sweeney) has consulted on this matter and has announced already a reform of the approach to the grant system, which I think is an extremely important one and one in which the municipalities can see an improvement in their situation.

But basically, I think the thing that might differentiate our decisions from perhaps our predecessors' decisions is that we do not want to allow our deficit to balloon as it did in the years when the honourable member was associated with the government. When we took office, the deficit was over \$3 billion, and now it is about \$570 million. We are proud of that accomplishment. We have raised taxes, that is true. No one likes to pay those taxes, but they do like the services that the money provides.

The other rule, of course, is one that we hold to strongly and that is that we provide good service with fairness and equity.

Mr Pope: It is not a reform of the policies that dictate transfer payments to municipalities that is needed. It is a reform of the Treasurer's attitude towards taxation and towards providing basic municipal services to the people of this province that is needed.

The Treasurer may relate very well to the consequences of his transfer statements over the past two years. He may relate very well to them. The consequences of them have been double-digit increases in municipal taxation—double-digit increases—something like the Treasurer's own policy with respect to tax increases that we are paying for now, whether it be sales tax, gasoline tax, land transfer tax, personal income tax. He is great at taxing, he is great at offloading, he is great at encouraging municipalities into double-digit taxation.

What will the Treasurer ask the municipalities to do this year? Will they have to increase taxes again at double-digit levels? Will they have to cut services?

The Speaker: Order. Do you want responses to the three questions or just the first one?

Mr Pope: The three.

Hon R. F. Nixon: I would say that the municipalities and their leadership, the elected members of councils, the mayors, wardens and reeves, have the responsibility to respond to these announcements and the cheques that go out and support them as they see fit. I do not expect any particular response other than a businesslike response. They have to establish the level of service that they want to provide and they have to establish the taxes at the lowest level consonant with providing those services, just as we do here and just as Michael Wilson advises his colleagues to do in Ottawa.

The honourable member would, I am sure, agree with us all that we do the best we can, although it is difficult when we get the sort of advice the honourable member provides when he says we are taxing too much and not giving enough money to our transfer partners. I am not sure what consistency there is in that advice.

Interjections.

The Speaker: I will have to apologize to the member for Beaches-Woodbine, but there are some members who do not seem to want to allow her to ask a question.

TRANSIT SERVICES

Ms Bryden: I have a question for the Minister of Transportation. Last week, the Toronto

Transit Commission announced it was raising transit fares by an average of 6.4 per cent effective 2 January 1990. In actual fact, Metro-passes and seniors' passes will go up by eight per cent, the single fare by almost 10 per cent, all above the cost-of-living increase. What is worse, TTC officials have warned of either another fare increase or a cutback in transit services if ridership in the system does not increase substantially over the next few months.

Can the minister tell me whether he thinks such draconian fare increases or transit service cutbacks will get more people out of their cars and on to public transit, and if not, is he prepared to make sure that TTC patrons will not have to contend with cutbacks in services or a further fare increase in 1990 by renegotiating the provincial-municipal TTC cost-sharing formula whereby the riders pay 68 per cent and the province pays 16 per cent?

Hon Mr Wrye: No one, of course, as I indicated in answer to a question earlier last week, ever likes any kind of price increase, and certainly the TTC has announced fare increases which are, for the base fare, an increase of 9.1 per cent but a fare increase which averages out to 6.38 per cent if all the variations are taken.

I note that the fare increase is 10 cents this year. It was five cents last year and five cents the year before that, which may have been slightly below the rate of inflation. But the honourable member now asks if we are intending to renegotiate our support for the operating deficit incurred by the Toronto Transit Commission.

I would only say to the honourable member that she suggests that our operating support is only 16 per cent, which is not very much. I would tell her, in real terms, that operating support will amount to \$101 million next year.

1440

Ms Bryden: The problem is that most of the operating costs have gone up because of new provincial taxes on fuel oil, on gasoline, on tires and the coming levy on parking lots operated by the TTC. Therefore, the minister has a responsibility to take a larger share of operating costs than he has in the past. That is what many transit riders are wondering what they are getting from the provincial Treasurer (Mr R. F. Nixon) in the way of payback of some of these new taxes. They do not have the Sheppard subway. They have a minuscule extension of the subway—one stop, the Spadina subway. My question is, will the minister recognize that he is not promoting public transit by not assisting the TTC in covering his new taxes?

Hon Mr Wrye: I listened very carefully to my honourable friend's question. It was interesting and ironic, because last Friday I was in the community of Thunder Bay inspecting the Can-Car Rail Inc facility there. As I was inspecting the facility, looking at the first of 60 new bilevel trains which we are beginning to build for GO Transit, I was also looking at the last part of the latest level of subway cars which are just being completed at that facility for the Toronto Transit Commission. It got me to thinking about the kinds and volume of capital support that we have given the Toronto Transit Commission.

I just would want to note for the honourable member, and I noted in my first answer, that we supported the TTC or will support the TTC's operating deficit to the tune of over \$100 million next year. Since 1985, this government has supported in capital and operating costs of the TTC—that support has totalled over \$900 million.

CORPORATE TAX

Mr Sterling: I would like to ask a question to the Minister of Industry, Trade and Technology. No doubt the minister is aware of an article which appeared in the October issue of Canadian Business magazine listing the 50 fastest-growing public companies in Canada by province, as compiled by Price Waterhouse. This annual list is a good economic indicator of the overall provincial economic scene.

It is interesting to note that the province of Quebec is home of 28 of those 50 companies, more than half the list. In fact, Quebec accounts for four of the top five. Ontario is a dismal third place. We have seven out of the top 50 companies in all of Canada. Can the minister explain this?

Hon Mr Kwinter: I thank the member for the question, but I do not really feel that I have to sort of explain why certain companies are here or why they are somewhere else. I should tell him that all he has to do is look at the record of Ontario over the last seven years. He will notice that last year we had the most vibrant economy in the industrialized world. I should tell him that 40 per cent of all of the economic activity in this country takes place in this province.

Mr D. S. Cooke: Despite free trade.

Mr Brandt: Better than Japan? Based on what percentages? Let's not fudge the numbers.

Hon Mr Kwinter: That is true, better than Japan and better than any other jurisdiction in the world, so I do not think we have to apologize for the economic activity in this province, and we

continue to be the leading jurisdiction in this country.

Mr Sterling: Perhaps I can help the minister, because in Canadian Business it states "the fortuitous merging of pro-business government policies and private attitudes that began in Quebec in the late-1970s continues to nurture the province's entrepreneurs. Ontario has become a very expensive province in which to do business."

The average Quebec-Ontario corporate tax gap, that is, the average higher percentage of corporate taxes paid in Quebec against Ontario, has narrowed from 9.6 per cent in our advantage in 1985 to a slim 1.8 per cent this year. The new commercial concentration tax and the employers' health tax levy will likely eliminate any narrow tax advantages Ontario firms have now. Why has TransCanada PipeLines moved to Calgary? Why are there now seven million square feet of vacant office space south of Queen Street in the core of Toronto at this time?

The Speaker: You finally got to the question.

Hon Mr Kwinter: Whenever comparisons are made between Ontario and Quebec and any other jurisdiction, whether it be a sister province or a sister state, there is always one indicator or the other where you can show that they have an advantage one way or the other. But I can say that the Treasurer (Mr R. F. Nixon) and his ministry and my ministry monitor what is going on in a competitive way, and we are satisfied that we are doing things that keep Ontario competitive. I can tell the member that for every one that he tells me that is moving out, I can tell him two that are moving in. I can also tell him that we continue to enjoy the most vibrant economy certainly in Canada.

RECYCLING

Mr Kanter: I have a question for the Minister of the Environment. This morning I carried a number of glass bottles out to the curb for recycling. Like many Toronto residents, I have heard reports that some of the glass collected is contaminated with ceramics and other materials and must be rejected. Can the minister provide the House with an update on what is happening to the many tonnes of glass, of various types of containers, I might add, which is collected in Metropolitan Toronto through the blue box program?

Hon Mr Bradley: An excellent question, I must say, and I think I can assist.

Mr Brandt: I hope the answer is interesting.

Hon Mr Bradley: The member can make the judgement after, whether it is or not.

There are conflicting reports about the fate of glass that is collected in recycling programs across the province, as the member has mentioned. Most municipalities are solving their glass contamination problems, however, I am pleased to report, and they are taking much greater care at the curbside collection area. Even the large municipalities such as Ottawa are able to provide recycling companies with what they consider to be a good-quality product.

I am pleased to report some figures compiled for the fall of this year, and they show that mixed-colour glass from all locations outside of Metro Toronto had a 92 per cent acceptance rate and that sorted glass had a 99 per cent acceptance rate. I would give some further information to the member, that many of the successful programs have had strong public awareness campaigns which indicate clearly to the people what should and what should not go in the box. In fact—

The Speaker: Thank you. There may be a supplementary and you could add some further information then.

Mr Kanter: I appreciate the information about the good results outside of Metro, but as a Metro member I would like to understand a little more clearly whether there is a specific problem with glass collection in the Metro area, and if so, what type of remedies should be implemented in Metro.

Hon Mr Bradley: There have been some operational problems which have been encountered here in Toronto. The city of Toronto did not choose what we call the class-1 program, and as a result, Toronto uses rear-packer trucks rather than the special recycling trucks that are used in many other municipalities. Not only are the materials therefore not separated and contaminants not rejected at curbside, but all recycling materials are mixed and broken up in the trucks, making later removal of the contaminants more difficult.

Also, recycled materials are picked up only one day a week, whereas in other municipalities they are picked up all of the days that garbage is picked up. Therefore, not everything arrives in the yard at the same time.

The clean glass collected from Metro and other municipalities like those municipalities which do not separate, Toronto for instance—the contaminated glass, in other words, is mixed with the separated glass in the rest of the Metro area. Therefore they run into problems with glass contamination.

These can all be overcome. I am very optimistic that with some changes that can take place, these can be overcome, and in Metropolitan Toronto they will face, I am sure, the same degree of success in terms of acceptance if the measures I have mentioned have taken place.

1450

CHILDREN'S MENTAL HEALTH SERVICES

Mr Allen: I want to take the Minister of Community and Social Services back to the issue of children's mental health treatment centres, and specifically to address him to the Beechgrove Children's Centre in Kingston. This particular centre this year has had a waiting list as high as 430, with waits of from eight to 15 months. In the course of recent months, suicidal cases have reached 40 in number at one time without any psychiatric backup.

To give an instance, recently one of their cases viciously assaulted staff members and was a danger to herself and others. They called five or six psychiatrists. No one would come to help. They finally took her to an emergency ward at the hospital, where she waited in the lobby for several hours. It was not until she bloodied her head pounding it on the floor that the hospital acted.

Is this the way kids with serious emotional problems should be treated in the system that the minister is responsible for?

Hon Mr Beer: The honourable member has underlined an area where there are many difficulties and many problems which we are addressing with the Ontario Association of Children's Mental Health Centres. Despite the fact that we have been putting a great deal more money into this system, we are experiencing in many areas increased problems.

One of the things that we are doing with the children's mental health centres is trying to identify clearly what the waiting list is and just how many young people there are out there who are in need of service and of what kind of service.

During this month and next, we are discussing with the children's mental health centres a series of these issues and steps which we would be able to take to help them in providing the service. We recognize that obviously a part of that is funding, but we believe that there are other elements as well. I think our focus is the same: we want to ensure that these children have the help when they need it. It is fair to say that at this point in time we are not able to do that to the extent that we would like.

Mr Allen: The minister referred to funding, and the vast majority of these centres cannot afford any psychiatric assistants on their own staff. He did not provide any top-up out of that \$88 million last year for our community-based agencies to help these particular people out. Mr Ogden at the Beechgrove centre says a major problem with the centres that have older kids in particular is the split jurisdiction between the minister and the Ministry of Health.

It makes it difficult, he says, virtually impossible, to get a hospital bed for a stabilization period for an acute psychiatric case involving a teen. Health says kids are Comsoc's responsibility, Comsoc can't get psychiatrists to work for the ministry and the kids are a very low priority list for Health, even in emergency situations.

Given the interministerial nature of this particular problem and given the seriousness of the situation, would the minister establish or secure from cabinet the establishment of an independent inquiry to investigate this whole circumstance of children's health centres and to report to the minister and to the ministry the best solution to this very troubling situation?

Hon Mr Beer: I would like to point out to my honourable colleague that we do have very close co-operation, particularly among the ministries of Health, Education and Community and Social Services, to address particular needs and ways in which we can improve the way that we link up and provide service.

In addition, my predecessor created a committee under Dr Colin Maloney of the Catholic Children's Aid Society of Metropolitan Toronto which is looking at a number of the issues that the member has addressed in his question. We are going to be getting a report from that committee in the spring but, as I say, we are addressing these issues now with the children's mental health association. It is my hope that we can address some of these particular issues and be able to make improvements and to improve co-ordination, so that they can provide the service that they want to do.

With respect to the particular case of Beechgrove, I can tell the honourable member that I will have a look at that myself.

GOVERNMENT PUBLICATION

Mr Eves: I have a question of the Minister of Health. On 10 April of this year, the minister announced with some fanfare the publication of her booklet *Deciding the Future of Our Health Care*. In the Legislature at that point in time the minister said, and I quote, "People have been

telling me they want to know more about how our system works and what choices are available to them."

She went on to say that she hoped people in Ontario would discuss this with their families around their coffee tables, with their neighbours over their back fences, and hoped it would become a bestseller so she would have to print more copies of the same booklet.

As of 4 July, the minister sent me in response to an Orders and Notices question I asked in May, that she had printed the 50,000 copies at a cost of some \$109,307.77 to the Ontario taxpayer but had only received orders to date for 11,075. Could the minister tell us how many orders she has received to date, whether her publication has become a bestseller and whether she is anticipating publishing more copies?

Hon Mrs Caplan: I am pleased to say to the member opposite that the response to the *Deciding the Future* document, as I have travelled the province and met with providers and professionals, has been very positive. They tell me that in fact it is an important document because it lays out the strategic plan for the future.

I would say to the member that with the establishment of a Speakers Bureau in the ministry, which is available to all members of this Legislature and to all communities that want to hold forums on health care, I believe that this document, which is just the beginning of the discussion and the opportunity for communities to participate fully in understanding how our very complex but important health care system works, will become just one of the important ingredients in fostering that important discussion in communities.

I want to thank the member for giving me the opportunity to say that we are making progress in getting that information to the people of this province.

Mr Eves: The minister studiously avoided answering the question as to how many more had to be published and how many orders she had received. On the date that the minister announced this, 10 April, and in her booklet, it also announced that she was going to publish six more of these in six specialties. We have been told that her ministry is now advising health care providers that the six subsequent booklets have been cancelled due to a lack of response to her first booklet.

I might refer the minister to a quote that the Leader of the Opposition (Mr B. Rae) made on the day that she introduced this in the Legislature:

"I think the report makes the minister and the ministry a laughing-stock. I hope it falls on its fanny. It deserves to." Which is it? Is it a bestseller and the minister has to print more, or have she and her ministry fallen flat on their fannies and cancelled the other six booklets?

Hon Mrs Caplan: I want to say to the member opposite that many thousands of this particular publication have been distributed and that those people who have an interest in discussing the health care future of this province, right across this province, want to meet with us and hold forums in their communities.

There are a number of strategies for doing for that. We held, for example, a consumer workshop forum because we believe that the consumers and consumer advocates in this province should have opportunities to come together. I would say to the member that as we attempt to communicate, we are seeking the very best advice on how we can do that in this society of ours where people want to have information. We are attempting to give them that information in a number of different forums and in a number of different ways.

I know that the member would support those initiatives because he would agree how important it is for the people of this province to know and to understand how to appropriately use and access the health services in this province.

1500

DAIRY INDUSTRY

Mr Tatham: My question is to the Minister of Agriculture and Food. During the fall of 1988, the Mulroney government promised the people of Canada a land of milk and honey if we accepted the free trade agreement. However, what we have ended up with is a land of ice cream and yoghurt, that is, American ice cream and yoghurt.

Earlier this fall, the United States obtained a favourable GATT panel ruling which will allow for American access into the Canadian market in ice cream and yoghurt. This ruling, if implemented, could have a disastrous effect on Canada's dairy industry and our supply-management system.

I have received many inquiries from my constituents as to what the Minister of Agriculture and Food is doing to protect the dairy industry in Oxford county and in the entire province of Ontario.

The Speaker: And the question?

Mr Tatham: Could the minister inform us today of the steps he has taken to ensure that we in Ontario continue to have a strong—

The Speaker: Minister.

Hon Mr Ramsay: Thank you very much, Mr Speaker, for allowing me to answer this question. I am most pleased to answer the question of my colleague from the county of Oxford, the home of many a good black and white cow that produces much good milk and good cheese for Ontario.

I must say to the grinning member who is proud of those dairy products that I just returned yesterday from Washington where I took up the case on behalf of Ontario farmers. We had discussions, as I took along industry representatives from Ontario who are very concerned about the pork countervail and also the GATT ruling which the member refers to.

We spoke to legislators and people of the executive branches of government in the United States and also to industry representatives. We found varying opinions on the farm bill and the GATT negotiations, but I think what became perfectly clear is that American dairy producers, for example, want to have unfettered access to the Ontario market, and I made it perfectly clear that we will be fighting to the last breath for supply management in this province.

Interjections.

The Speaker: I think it is time just to wait once more. If you want to waste the time, go ahead. It is hard to imagine, but I guess that is the way it goes.

Mr Tatham: I am pleased to see that the minister has taken some proaction and gone down to the United States to see what is going on. What else is he going to do to follow this up?

Hon Mr Ramsay: It is probably good that I have a chance to clarify this, because it might be advisable. I will fight on this to my second last breath at least. I will save one breath.

I think it is important that we send a message to our federal counterparts, and Mr Crosbie in particular, that now is the time for Canada to clearly define and strengthen its position on article 11 of the GATT. It is very important that we articulate an action plan now and we make that public, so that we bring great comfort to the people who are producing the farm commodities in this country.

HEALTH MINISTRY EMPLOYEES

Mr Hampton: In the absence of the Premier (Mr Peterson), my question is for the Minister of Health. As the minister well knows, her ministry is shutting down the OHIP collection office in Kingston and a number of regular, permanent

employees and a number of contract employees are losing their jobs. In fact, as I understand it, at this point in time somewhere in the neighbourhood of 99 permanent employees and a greater number of contract employees are still without work. Can the minister tell us what is going to happen to those employees, especially the contract employees who, as I understand it, have no pension plan, no benefits and are basically being told: "Your job is over on 15 May. Good luck"?

Hon Mrs Caplan: In fact, the implementation of the employer health levy and the elimination of OHIP premiums presents a challenge to the Ministry of Health, and I am pleased and proud to say that we have been working co-operatively to implement the kind of program that will show that we are a good employer in the interests of our employees and doing everything we can to assist them appropriately during this transitional time.

Mr Hampton: The minister's remarks somehow do not meet with reality, because we have talked with many of those contract employees. I will give the minister some examples. One lady, who is 58 years old, is a single-parent mother. She has worked for the Health ministry for eight years. Never has the ministry offered her nor given her the opportunity to compete on anything more than a contract job. She has no benefits and no pension plan, and she has been told, as of 15 May, good luck to her.

Mr Allen: After eight years.

Mr Hampton: After eight years. Another employee, with seven years' service, also a contract employee, 47 years old, and after May 1990, nothing. Another employee, 51 years old, a woman, self-supporting, has worked for OHIP, again for eight years. She has no pension plan, no benefits, and she has been told, as of 15 May, good luck.

I want to ask the minister. Her government says that it is in favour of pay equity and employment equity. How is it that her ministry can take a workforce that is mainly women, whom the ministry has kept as contract employees for eight years, and now is telling them to go out the door without any benefits whatsoever? How does the minister justify that?

Hon Mrs Caplan: In fact, the member opposite is not categorizing this situation correctly at all. I would say to him that the ministry is working very closely with the union, that a very significant package has been put in place to assist employees, that there have been no layoffs and

that people are being given priority in job placement.

I would say to the member as well that we are trying to assist our employees and we care about them. I understand that change is difficult for everyone, but in fact the Ministry of Health is attempting to be a very good employer in assisting its employees through what is a difficult and challenging time. I would say to him that we are doing that in a co-operative way, seeking the very best advice of the union with us in Kingston, and the member is wrong.

WATER QUALITY

Mrs Marland: My question is to the Minister of the Environment. I know that the minister does not have time and I do not expect him to read all his news releases, but there was one release this week, on the 27th, in fact two days ago, that I think he should read. It is almost like reading Punch magazine. It is the one about the asbestos in the drinking water.

The initial headline in this release talks about elevated levels of asbestos fibres in certain communities during a six-year period, and goes on to name them. Then the second page says that the testing subsequently indicated that there had been errors made in the initial sampling and in the laboratory reading of those samples.

I have to ask the minister, what on earth is this release about? Is there a serious problem? Should we be concerned in those communities that are named in it?

The Speaker: Do you have a response to one of those three questions?

Hon Mr Bradley: In fact, this is an historical summary, as we put it—I have it right here—of the sampling activity and data that were generated. It has been compiled and published now at this time to provide an Ontario frame of reference for reviewing a new proposed US asbestos in water regulation in conjunction with the current Ontario objective for asbestos in water.

I think the actual testing took place from 1977 to 1983 and, as the press release said, there were some 371 municipal water supplies tested over that six-year period, three of which in initial tests showed some indication of asbestos. Subsequent to that they always retest to make certain they are right, and it appeared in one. My understanding is that in fact that was cleared up some time ago.

1510

Mrs Marland: I do not think the public is going to be very clear about the answer, but I will ask the minister another question. It also says in his press release that there is no Canadian

objective for asbestos in drinking water, yet it talks about there being one in the United States. Is the minister concerned about levels or any existence of asbestos in drinking water in Ontario today and is he concerned about the fact that they use asbestos pipes to transport that water?

Hon Mr Bradley: Historically they have used that and what they have overcome it with, the member may know, in communities where there is high acidity in the water is that they simply use soda ash, as it is called, or sodium bicarbonate. That can be used to neutralize the corrosive effect of the water, preventing the release of those asbestos fibres.

We are very interested in the US Environmental Protection Agency and what it is doing at this time. We want to provide some data from our point of view, which is historic. The problem was solved a long time ago in MacTier. I do not whether at that time there was a press release put out or something. It was a number of years ago but that is the context in which it was released. We would like to see these guidelines established with as many products as possible. That is why we are working with the EPA in this regard.

MEDIA REPORT

Mr Dietsch: I have a question of the Minister without Portfolio responsible for disabled persons. On Monday 27 November a major newspaper published a front-page article that used outmoded, if not derogatory terms, not only in the headline but throughout the article. The article detailing abysmal conditions in a very poor province of China used such terms as "shuffling cripples." It also alluded to the inhabitants of a certain village as "imbeciles" and "cretins."

I have a number of disabled persons living in my riding, as we all do, and everyone I have spoken to over the last few days has taken some offence at this article. As minister responsible for the disabled persons, what is the minister going to do to address this outrage on behalf of the disabled people of Ontario?

Hon Ms Collins: I can tell the member for St Catharines-Brock that I have seen the article. In fact, there have been several phone calls to my office expressing concern by people who were offended by the unacceptable language and the labels that were used in that article.

The media of course can influence and reinforce public perceptions of people with disabilities. They can use words and present images that create positive images and views by

the public or those that create very negative views.

The greatest challenge to disabled people in this province of course is public attitudes and the barriers they present to disabled people and it is my hope that the media will become part of the solution rather than part of the problem. I can tell the member that I have written a letter to the editor of the Globe and Mail to express my concerns.

Mr Dietsch: Everyone has a responsibility to help break down those barriers of attitude. It is not the first time I have noticed the use of undesirable terms in the media. What is the minister's office doing to correct the usage of these terms?

Hon Ms Collins: The Office for Disabled Persons has published a lexicon of preferred terms on disability issues and it is called Word Choices. This lexicon was sent to all members of the Legislature as well as all members of the media. In fact, the Office for Disabled Persons held a briefing for the media to make them aware of this publication and to make them more sensitive to this issue.

To answer the member's question directly, I can tell him that my office monitors the media regularly and when improper uses or terms are used to described people with disabilities we send a copy of this lexicon.

PETITIONS

RELIGIOUS FREEDOM

Mr Pollock: I have a petition signed by 21 people that reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"I am a Canadian and proud of my heritage. I am also very much aware of the part religious freedom has played in the freedom we as Americans and Canadians now enjoy. Therefore, I protest any human effort to remove from radio or television any program designed to show faith in God or to remove Christian music or carols from the public school system."

I have affixed my signature to this petition.

INTRODUCTION OF BILLS

HOMES UNLIMITED (LONDON) INC ACT, 1989

Mrs E. J. Smith moved first reading of Bill Pr52, An Act to revive Homes Unlimited (London) Inc.

Motion agreed to.

**FORT ERIE LIONS SENIOR CITIZENS
COMPLEX INC ACT, 1989**

Mr Haggerty moved first reading of Bill Pr37, An Act respecting Fort Erie Lions Senior Citizens Complex Inc.

Motion agreed to.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 39, An Act to revise the Veterinarians Act;

Bill 40, An act to repeal the Brucellosis Act.

1520

House in committee of the whole:

**MINING AMENDMENT ACT, 1989
(continued)**

Consideration of Bill 71, An Act to amend the Mining Act.

The First Deputy Chair: Could I ask any members who have amendments to propose to Bill 71 in committee of the whole House to make sure the table has copies of them. We are anxious that if any members intend to move amendments, the chair have copies of those amendments now.

Hon Mr O'Neil: Mr Chairman, I wonder if I might ask two of my staff, Michael Bourassa and Dr John Gammon, to join me at the table, and with your permission I will move up to the front desk.

The First Deputy Chair: Perhaps while we are doing that, we might bring to the attention of members that we have in our standing orders provisions for giving "reasonable notice," I believe are the words, for the production of amendments.

We have entertained some discussion on this in the past. Part of the problem we are having in having amendments presented to us is that we are supposed to read all of these and decide whether they are in order and are reasonable and correct amendments. It is a little difficult to do that if we do not have them ahead of time. It is also difficult for other members of the assembly to debate an amendment they have not seen before.

Members may find in the next little while that the chair will be a little more insistent that members follow the existing standing orders as best they can and provide us with amendments well in advance so that we can see that all members have copies of them and so that the table officers can check to see the amendments are in order.

I think it is also true that we do not want to inhibit the House in moving minor wording amendments and we do not want any stumbling blocks that are unnecessary put in the way of the procedures of the House, but we do have that difficulty and I anticipate we may have some more of it this afternoon.

I should also tell members that the only device we can use is that while we cannot refuse any amendment that is put by any member, the chair does always reserve the right to take the matter under consideration and to consider it for some time, which in plain English means that members can hand us any pieces of paper they want, but we do not necessarily have to put them in front of the House until we are satisfied they are reasonable and correct amendments.

Mr Laughren: It will take a week.

The First Deputy Chair: It could indeed take some time.

I think we are ready to proceed now.

Hon Mr O'Neil: We will have a series of technical amendments. Those technical amendments were circulated to both the opposition parties. However, I apologize that there will one additional amendment coming in. We have talked with both opposition parties and we feel it will be a good amendment. I understand it will be introduced by one of the opposition members and we are in agreement with that. We have given the table a copy of all those amendments except for this one that will be introduced later. I can read out all those amendments or I can start through on the amendments if you like.

The First Deputy Chair: The first order of business is normally to ask any members who have amendments to particular sections to identify them just so we can get it organized here. If the minister would do that for the government, that would be some help.

Hon Mr O'Neil: We have motions to amend sections 33, 34, 50, 51, 77 with two amendments, 82, 89, 91, 93, 108, 108a, 108b and 109.

Mr Laughren: Just could not get it right the first time.

Hon Mr O'Neil: I know there was a comment made there. We have been consulting with all of the different people and we feel it is better to make the amendment now and try to keep everyone happy, including the member for Nickel Belt.

The First Deputy Chair: Let me caution you that if that is your goal in life, you are in big trouble now.

Mr Pouliot: We will be proposing an amendment on section 60. En passant, I note that if it is the wish of the minister to up the ante—I notice a change in tone—we were under the impression vis-à-vis the amendments that it was to pass quickly, but we can follow the minister's mood if he wants to get serious and start debating every article, every amendment. We will be very pleased to oblige.

The First Deputy Chair: Are there any other amendments that should be indicated now?

Mr Pope: Mr Chairman, if I could just have your indulgence for a second, in the interest of expediting the legislation, I wanted to make some comments at the outset with respect to all the amendments and the philosophy behind them and then leave it at that and not debate every single motion that is put forward. If you would allow that, I will do it.

The First Deputy Chair: That would be fine. You do not have any amendments then that can surprise us.

Mr Pope: No.

The First Deputy Chair: As has been suggested and I think it is quite reasonable, I take it there are a number of technical amendments and the House would prefer to make some comments initially and then deal rather succinctly with the amendments. Is that agreed? Agreed. Does the minister have any opening remarks?

Hon Mr O'Neil: No. I would be willing to have the member go ahead if he would like to make some comments and it is agreeable to the chair.

Mr Pouliot: I too would like to say a few words. I certainly welcome the approach taken by the member for Cochrane South (Mr Pope). These are housekeeping amendments. They in no way represent a major addition that our party is aware of. By and large, the new Mining Amendment Act was well drafted. I think the minister will commend his people on his staff. They have done a good job. They have also kept both opposition parties very well informed of his intentions. It speaks very highly of the new Mining Amendment Act.

Having said this, I was hoping that in reference to section 104 of the Mining Amendment Act the minister would perhaps come up, if not with an amendment, with the assurance that he will monitor compliance.

This section has lain dormant in the act for a good number of years. People choose to bypass the act itself. Really, his ministry has not been at its post in terms of ensuring that the minerals that

are extracted in Ontario be processed in Ontario, especially around Sudbury. There was some ministerial discretion. That is the only reason the act was not applied, if you wish, but it is not good enough. If the minister keeps it in the act he should monitor compliance or he should take it out of there or should amend it so that people can live with it.

Mr Campbell: How do you deal with the exemptions?

Mr Pouliot: The thing is, the meat is in the act. It sounds very good. It satisfies a lot of people and rightly so. However, the minister has a duty to monitor and to police the act. I see the parliamentary assistant is nodding his head, acquiescing with what I am saying, so he will be one of the watchdogs of the new act and, hopefully, it will have more success than the old one.

I know the parliamentary assistant is familiar with it and has a good mining mind. I wish him well. He is familiar with mining and has made a commitment that he will soon visit most mines in Ontario and very much looks forward to going underground in most mines in Ontario, so that he can see at first hand the contribution that has been made. It is nice to hear from a parliamentary assistant that it is more than a job; it is actually a mission.

One amendment we will be presenting, and I do not want to go into detail on every amendment, is on subsection 60(2) of the bill which provides for a 10-year lease. A 10-year lease is more or less in perpetuity and we have some mild concern. If you do not have a patent, you have a lease for 10 years in lieu of. You do not issue a patent; well then it is renewable in perpetuity. They have the land for ever, so really it is not a 10-year lease.

We have less quarrel with that. Our concern is the 11th-hour rush. We would like to get the commitment from the minister that until the new act is in place we will not have a multitude of people applying for those 10-year leases that are being grandfathered here. What the minister is saying is that if I have a 10-year lease at present, it will be renewable in perpetuity until the new act comes into force. We wish to caution the minister that we do not want the proverbial vultures, if you wish, gathering. We do not want a lineup of people applying for leases at the last minute to bypass the intent of the act.

The Conservative representative will be back in one or two minutes. I have no more comments and I certainly have no reservations in endorsing the new Mining Amendment Act in its entirety. I

said this at the beginning last week when we had a chance to spend 40 or 45 minutes reviewing what was being proposed, so I am not going to take up the time of the House. If it is okay with the minister, I would propose that we dispense with reading information pertinent to housekeeping measures, and that is all they are, because really the 15 amendments being put forward make the operative clauses in the bill clearer and easier to work with, so we are quite pleased.

1530

The First Deputy Chair: The first amendment I have been given notice of is to section 33. Shall sections 1 to 32 carry?

Sections 1 to 32, inclusive, agreed to.

Section 33:

The First Deputy Chair: Mr O'Neil moves that section 55 of the act, as set out in section 33 of the bill, be amended by striking out subsection (3) thereof.

Motion agreed to.

Section 33, as amended, agreed to.

Section 34:

The First Deputy Chair: Mr O'Neil moves that subsections 56(7) and 56(8) of the act, as set out in subsection 34(4) of the bill, be struck out and the following substituted therefor:

"(7) Notwithstanding clause 28(c) and subsection 84(1), where a dispute has not been filed against a mining claim a transferee who has acquired the claim in good faith may re-stake or cause to be re-staked the claim or any part thereof at any time and, upon filing with the recorder a notice in the prescribed form of the re-staking, the recorder shall, upon notice to all persons having a recorded interest in the original claim, order that the re-staked claim shall be deemed to have been recorded on the date of the recording of the original claim or any part thereof that has been re-staked.

"(8) In an order made under subsection (7), the recorder shall provide that orders, assessment work reports, instruments or other notations which have been entered against the original claim be entered in the record book in respect of the re-staked claim, and may include in the order such provisions as the recorder considers necessary to effect such entry in the record book of the re-staked claim."

Mr Pouliot: Briefly, I could never understand why it said the recorder "may." I always took it for granted that he "shall." That is the job of the recorder. I do not know why it escaped people for

so long. I guess they took it for granted, the "shall" instead of "may," in fact.

Mr Pope: Mr Chairman, I apologize. I was just outside the door. I did want to make a few comments about this section and how it conveys an approach to the staking of claims and the actions of the recorder and the administration of our mining system in Ontario.

I have some concerns about the extent of regulatory control. The possible proliferation of regulations that will be applied at a later date to what has been the traditional activity in this province, not necessarily by big companies operating out of Toronto with professionals, but by individuals—we call them grubstakers in my home town—who go out to stake a claim on a regular basis and have for many decades. When they stake their claim, put their tags on the corner posts, sign the corner posts and file documents with the mine recorder, they expect that they are going to get their claim.

There is a real tradition of the grubstaker in northeastern Ontario and I think the minister in his discussions will have seen a real dichotomy between the position of a provincial prospectors and developers association body and the kinds of opinions that are expressed by the local associations, particularly in Kirkland Lake, Sudbury and Timmins, about their perception of how this system should work.

One sees the same dichotomy between the large mining corporations in this community and the smaller, more local mining corporations in other parts of Ontario. I say that because I have some concerns, for instance, about a five-year prospector's licence. My personal preference always was for a lifetime prospector's licence. I have concerns about the five-year prospector's licence because it could lead to regulation of what is required to obtain that licence or renew that licence. It will lead to the expense of issuing a new licence every fifth year. That is why, when I dealt with this matter in 1983-84, I opted for a lifetime licensing system.

Second, I have some real concerns, again based on my experience in another life, with the administration of leases and the grief that we all face as local members when there is a change in the rental to be charged on the leases and/or the policy to be applied in calculating leases for crown land leases. I would not want to see those kinds of political difficulties and concerns that are raised by individuals being really structured into the amendments of this act and become part of the problem that the minister and local

members from northern Ontario will have to face in the future.

I still have grave concerns about map staking because it really takes a significant economic activity out of the hands of the local grubstaker, out of the hands of the local economy, and puts it into the hands of someone who may be in Toronto drawing lines on a map. I say that knowing the background, as the former Minister of Natural Resources does, about the argument over the allocation of peat resources in the province and how they can be mapped out using satellite photography and one does not need to go and stake them. I have some concerns about getting into that system of map staking and what it is going to do to the prospecting fraternity, as we call it, in my community and across northern Ontario.

I have some concerns about the rehabilitation requirements and their impact on marginal investments, not the major investments of the big mines—I understand that and I understand the need for rehabilitation, in any event—but I have some concern about its impact on marginal mining operations or small corporate investment opportunities in Ontario.

Specifically with respect to rehabilitation, I have some concerns about mine tailings processing and whether that is mining. There has been a real argument that has gone all the way to the Supreme Court of Canada with respect to whether mine tailings belong to the surface rights holder or the holder of mineral rights, and they ruled that it went to neither. Anyway, there are some real problems there about whether or not that qualifies as a mining activity, and if this amendment makes that change and brings it in, so be it.

There is also some real concern in my community about progressive rehabilitation of the mine tailings project of ERG Resources Inc, the impact on the McIntyre park site and on future sites around Gillies Lake and other areas around my community, and whether or not we will be getting into a phased rehabilitation program, even though the mining operation started before this act will go into effect. Before the act goes into effect, we are involved in that processing program and I question whether we will be able to tidy that up with these amendments.

Basically, I do believe that proxy staking should be allowed. That is my own personal point of view, one not necessarily shared by everybody. I do believe proxy staking should be allowed and encouraged. It is part of the tradition

of the prospector in my part of the province. I have some concerns about the number of items that we are going to make subject to regulation. As the members are aware, Manitoba went to a regulation system of regulating mining activity about 15 years ago and it has now opted to go back to putting it all into statute to give it greater certainty and to solve some of the problems that constantly changing regulations can create.

On the problems with respect to financial sureties or performance bonds and the restrictions of sureties to class A banks, I do not understand why that was done and why it could not be class B banks as well, such as Lloyd's Bank Canada, which could provide that kind of surety.

1540

These are the kinds of things that cause me some concern as concepts to be incorporated into the bill. There are good things, and I hasten to say that the mining fraternity, the prospectors and developers of this province want the legislation passed quickly. I understand that. The security of title is critical to them and the amendments the minister has proposed meet most of the concerns they have expressed.

The dollar basis for assessment work as opposed to man-days is something that has been sought for a long time, and the minister has this in his legislation. Perimeter staking is another popular amendment that the minister is bringing in that has been demanded by prospectors, developers and the mining community in this province. So there are good things in it; do not get me wrong.

There is need for reform and change, but I have some concerns about where this could head in light of some of these amendments that the minister may want to address at some other time, such as third reading. Mr Chairman, subject to your ruling, I do not think I need to hear a reading of the amendments from the minister. I am satisfied that what he has told me will be submitted as amendments, will be. I am prepared to proceed on that basis.

Motion agreed to.

Section 34, as amended, agreed to.

Sections 35 to 49, inclusive, agreed to.

Section 50:

The First Deputy Chair: Mr O'Neil moves that section 50 of the bill be struck out and the following substituted therefor:

"50. Section 83 of the said Act is repealed and the following substituted therefor:

"83. (1) The holder of a mining claim may abandon the claim at any time by filing a notice of abandonment in the prescribed form with the recorder.

"(2) The holder of a mining claim may abandon any part of the claim at any time on such conditions as are prescribed, by filing a notice of partial abandonment in the prescribed form with the recorder.

"(3) The recorder shall enter a note of the abandonment upon the record of the claim with the date of the receipt of the notice and shall forthwith post up in the recorder's office a notice of the abandonment with a sketch of the claim or part thereof to be abandoned.

"(4) Where part of a claim has been abandoned under subsection (2), the recorder shall issue an order directing the moving of posts or tags, the erection of new posts and the identification of new boundary lines and stating the time within which the work is to be completed.

"(5) Where an order is issued under subsection (4), the mining claim holder affected shall file an affidavit in the prescribed form within the time set out in the order and a copy of the affidavit, marked with the date of the posting, shall be posted by the recorder in the recorder's office.

"(6) Where the work set out in an order under subsection (4) has not been completed within the time set out in the order, the recorder may extend the time for completing the work or may order that the portion of the claim on which the work was to be done is abandoned and shall in the case where an order of abandonment is made, by registered letter mailed not later than the next day after the making of the order, notify the holder of the recorder's action and the reason therefor, and a copy of the order shall be posted by the recorder in the recorder's office.

"(7) Where part of a mining claim is abandoned under subsection (2) and an order of the recorder is made under subsection (6), the mining claim abandoned is open for staking from nine o'clock in the forenoon of the 11th day after the posting of the order of the recorder made under subsection 6.

"(8) Every mining claim abandoned under subsection (1) is open for staking from nine o'clock in the forenoon of the 11th day after the notice of abandonment is filed.

"(9) Where part of a mining claim is abandoned under subsection (2) and no order is made by the recorder under subsection (6), that part of the claim is open for staking from nine o'clock in the forenoon of the 11th day after the posting of the affidavit required under subsection (5)."

Motion agreed to.

Section 50, as amended, agreed to.

Section 51:

The First Deputy Chair: Mr O'Neil moves that subsection 84(2) of the act, as set out in section 51 of the bill, be struck out and the following substituted therefor:

"(2) Notwithstanding subsection (1), where in respect of a mining claim no dispute is on file and,

"(a) one year has elapsed since the day of the recording of the claim; or

"(b) the first prescribed unit of assessment work has been performed and filed and, where necessary, approved,

"the mining claim shall be conclusively deemed to have been staked out and recorded in compliance with the requirements of this act and the regulations."

Motion agreed to.

Section 51, as amended, agreed to.

Sections 52 to 59, inclusive, agreed to.

Section 60:

The First Deputy Chair: Mr Pouliot moves that subsection 95(4) of the act, as set out in subsection 60(2) of the bill, be struck out and the following substituted therefor:

"(4) A lease referred to in clause (1)(a) is renewable in perpetuity for a periods of 10 years, and every renewal shall date from the day following the expiry of the lease if application therefor is made within 90 days of the expiration of the lease or within such further period as the minister, in the circumstances of the case, considers proper.

Motion agreed to.

Section 60, as amended, agreed to.

Sections 61 to 76, inclusive, agreed to.

Section 77:

The First Deputy Chair: Mr O'Neil moves that subsection 161e(3) of the act, as set out in section 77 of the bill, be amended by striking out "15" in the third line and inserting in lieu thereof "45."

Motion agreed to.

1550

The First Deputy Chair: Mr O'Neil moves that subsection 161l(1) of the act, as set out in section 77 of the bill, be amended by striking out "15" in the 14th line and inserting in lieu thereof "30."

Motion agreed to.

Section 77, as amended, agreed to.

Sections 78 to 81, inclusive, agreed to.

Section 82:

The First Deputy Chair: Mr O'Neil moves that subsection 190(1) of the act, as set out in section 82 of the bill, be amended by adding thereto the following paragraphs:

"(16a) prescribing, for the purposes of subsection 83(2), the conditions on which the holder of a mining claim may abandon part of the claim;

"(20a) prescribing, for the purposes of subsection 198(3), the size, form, manner and time of staking out and recording mining claims on land in which an interest is retained after surrender."

Motion agreed to.

Section 82, as amended, agreed to.

Sections 83 to 88, inclusive, agreed to.

Section 89:

The First Deputy Chair: Mr O'Neil moves that section 89 of the bill be struck out and the following substituted therefor:

"89. Section 198 of the said act is repealed and the following substituted therefor:

"(1) The owner, lessee or licensee of any mining lands or mining rights granted under this act or any other act may surrender such lands or mining rights to the crown only upon such terms as are acceptable to the minister, and thereupon the minister may cause a notice of determination to be filed in the proper land registry office.

"(2) An owner, lessee or licensee who surrenders mining lands or mining rights under subsection (1) may file a notice in the prescribed form with the recorder indicating that such owner, lessee or licensee wishes to retain an interest in the lands or part of the lands thereof, in the form of unpatented mining claims.

"(3) Where a notice has been filed under subsection (2), the owner, lessee or licensee shall stake out or cause to be staked out and recorded in such size, form, manner and time as is prescribed, the lands in which an interest is to be retained.

"(4) Where mining claims have not been staked out and recorded under subsection (3) within the time prescribed, the recorder may extend the time for staking out and recording or may order that the mining lands or mining rights on which the staking out and recording is to be performed are surrendered and the recorder shall, in the case where an order of surrender is made, by registered letter mailed not later than the next day after the making of the order notify the owner, lessee or licensee of the recorder's action and the reason therefor.

"(5) Mining lands or mining rights surrendered to the crown under subsection (1) and which are not recorded as unpatented mining claims under subsection (3), shall not be open for prospecting, staking out, sale or lease under this act until a date fixed by the deputy minister, notice of which shall be published in the Ontario Gazette at least two weeks prior thereto."

Mr McLean: I have a question to the minister on the amendment that was just put. Why would the surrendering only be on the terms acceptable to the minister? That is my first question. My second question is, why would there be so many additions to the amendment? Why was it not included in the original bill?

Hon Mr O'Neil: I appreciate the question from the member. Quite a bit of consultation has taken place with many of the mining groups, and in this particular case the mining and prospecting community was concerned that there would no longer be any relief from forfeiture provisions in the amended act. They felt that there may be special circumstances—an administrative error on the part of the claim holder, for example—where an opportunity to seek relief should be still provided.

It is our position that applications for relief from forfeiture have been made frivolously and too frequently to the mining commissioner in the past, but in recognizing the valid concerns, we feel this motion will allow for relief from forfeiture by order in council. Because such orders require cabinet approval, they will be made only in very special circumstances.

Motion agreed to.

Section 89, as amended, agreed to.

Section 90 agreed to.

Section 91:

The First Deputy Chair: Mr O'Neil moves that section 200 of the act, as set out in section 91 of the bill, be struck out and the following substituted therefor:

"200(1) The Lieutenant Governor in Council, upon the recommendation of the minister, may order, revoke, cancel or annul the forfeiture of any mining lands or mining rights under this act or revoke, cancel or annul the termination of any lease of mining lands under this act or relieve from forfeiture any unpatented mining claims on such terms and conditions as the minister considers appropriate.

"(2) Where an order under subsection (1) concerns unpatented mining claims, such order shall be filed in the office of the mining recorder.

"(3) Where an order under subsection (1) concerns leases or freehold patents, the deputy minister shall cause the order to be registered in the proper land registry office and thereupon the mining lands or mining right revert in the owner or lessee of the mining lands or mining rights at the time of forfeiture or termination, his or her heirs, successors or assigns, subject to any lien, mortgage entered or registered prior to the forfeiture or termination and still outstanding.

"(4) Where application is made for an order under subsection (1), the minister may direct the mining lands or mining rights described in the application to be withdrawn from prospecting, staking out, sale or lease until a disposition of the application.

"(5) The minister may direct an application for an order under subsection (1) to be accompanied by the prescribed fee."

Motion agreed to.

Section 91, as amended, agreed to.

Section 92 agreed to.

1600

Section 93:

The Chair: Mr O'Neil moves that section 201 of the act, as set out in section 93 of the bill, be amended by striking out "section" in the first line and inserting in lieu thereof "part."

Hon Mr O'Neil: This is merely a housekeeping matter. Mining land tax applies to all of part XIV and not just section 201.

Mr Pouliot: I know in this case it is a coincidence but, with respect, this government is so lax in tightening up its house when it comes to collecting the money. It is good. We are literally under a state of siege. The world has descended upon us. But every time there is an amendment, when taxes are mentioned, one more time, it seems to be missing the boat.

By way of conclusion on this proposed amendment, let that be a lesson to all of us. You have to run it a bit as you are running your own affairs. If you ran your affairs the way you run the affairs of the government, you would have to declare bankruptcy. The government always misses out. It always has to tidy things up to collect what is the public's, really. In this case, it has to come up at the last hour; but this has not been done until 1906, so the minister has had ample time to come up and do what is right.

Again, it is centred on money. It is ironic; it has to be more than a coincidence. Sometimes I wonder, when it comes time for the Ministry of Revenue to collect, if someone is asleep at the

wheel. It is just a matter of attitude, no more than that, but a matter of attitude perhaps.

I know this would not happen with the previous Minister of Mines, for he left before this new Mining Act came into being.

Motion agreed to.

Section 93, as amended agreed to.

Sections 94 to 107, inclusive, agreed to.

Section 108:

The Chair: Mr O'Neil moves that subsection 108(1) of the bill be amended by striking out "at midnight on 31 March 1990" in the third and fourth lines and inserting in lieu thereof "on the date set out on the licence or renewal thereof."

Motion agreed to.

Section 108, as amended, agreed to.

The Chair: Mr O'Neil moves that the bill be amended by adding thereto the following section:

"108a(1) Where forfeiture occurs under clauses 85(1)(c), (d) or (e) of the Mining Act as those clauses read before the coming into force of section 52 of this act or under clause 85(1)(c) of the Mining Act, as re-enacted by section 52 of this act, and where an application is made to the mining and lands commissioner within six months of the forfeiture, the commissioner may make an order on such terms and conditions as the commissioner considers just relieving the claim from forfeiture and extending the time for performing or reporting the work, or both but no such application may be made to the commissioner after the expiration of eight months from the day section 52 of this act comes into force.

"(2) Where, on the day section 76 of the Mining Act, as re-enacted by section 46 of this act, comes into force, 200 days of assessment work have been performed and recorded by the holder of a mining claim under section 76 of the Mining Act as it read before its re-enactment by section 46 of this act, the holder of the mining claim shall,

"(a) perform and file such annual units of assessment work as are prescribed under section 76 of the Mining Act, as re-enacted by section 46 of this act; or

"(b) apply and pay for a lease of the claim within the time set out in subsection 94(2) of the Mining Act, as it read before its re-enactment by section 59 of this act, or, where applicable, within the time set out in an order of the mining and lands commissioner under section 86 of the Mining Act as it read before its re-enactment by section 53 of this act."

Motion agreed to.

The Chair: Mr O'Neil moves that the bill be amended by adding thereto the following section:

"108b(1) A subsisting lease that has been issued or renewed under sections 94, 95 or 97 or subsection 190(2) of the Mining Act, as those provisions read before the day sections 59, 60, 62 and 82 of this act come into force, shall continue to bear the existing rental rate until the expiration of five years from that day.

"(2) Where a lease applied for before 24 October 1989 is issued after the day sections 59, 60, 62 and 82 of this act come into force, the lease shall bear the rental rate provided for by the Mining Act, as that act read before the day sections 59, 60, 62 and 82 of this act come into force, until the expiration of five years from the day those sections come into force.

"(3) Where a lease to which subsection (1) or (2) applies is renewed under section 94 of the Mining Act, as amended by section 59 of this act, the lease shall, until the expiration of five years from the day sections 59, 60, 62 and 82 of this act come into force, bear the rental rate set out in subsection 94(8) of the Mining Act, as that section read before its re-enactment by section 59 of this act.

"(4) Notwithstanding the provisions of a lease, after the expiration of five years from the day sections 59, 60, 62 and 82 of this act come into force, every lease shall bear the rental rate set out in the Mining Act as amended by this act."

1610

Mr Pouliot: I have a brief comment again. With the highest respect for the minister, there seems to be some discrepancy between what the Chair is reading and the minister's own copy, and yet they are about 15 feet apart. I know in this case it is not consequential in the least, but I am beginning to wonder what is going on here. What kind of show is the minister running? Yet we know that he has no limit on his own expenditures. The members opposite have spent in the past five years like drunken sailors, if you wish, at more than twice the rate of inflation, so there is really little excuse. I will be listening very carefully as we move through those amendments.

Hon Mr O'Neil: I am glad the member will be listening very closely. Maybe that will correct some of the problems.

Mr McLean: I would like to ask the minister how many amendments there have been to this bill. That is one question. The other question is, why is it that in this legislation the minister seems to have all the power? It is always at the discretion of the minister or subject to the

minister's approval? How come it cannot be in the bill without everything being approved by the minister?

Hon Mr O'Neil: I thank the member again for his comments. First of all, I believe there is one more short amendment we have to go through. I certainly appreciate the patience of the members here in the chamber, but I remind the member that this bill has not been really changed since 1906, although there were several chances when it was brought before the Legislature and it was not acted upon.

We not only spent quite a bit of time putting the bill together, and working hard, I might say, with the co-operation of the opposition members to make sure we could bring it forth, but we also, both ourselves and the opposition members, widely distributed this bill and asked for any input that was there from the different groups. There was the Ontario Mining Association, the prospectors and developers, and they have come in with some of these suggestions. But they are not only their suggestions; some of them are ours and some of them are the opposition parties' suggestions.

We feel that if it has taken us since 1906 to bring this new bill in, we can at least spend a little time here today to bring about some of the changes that the members opposite, and we and people outside, have suggested.

As for having the minister look at that, I can also tell members that we feel we will be again consulting very widely with any of the client groups to make sure their wishes are adhered to.

Mr McLean: I just want an answer to my question: How many amendments to this bill has the minister brought in?

Hon Mr O'Neil: I believe that there are 15.

Motion agreed to.

Section 109:

The Chair: Mr O'Neil moves that section 109 of the act be struck out and the following substituted therefor:

"(1) This act, except subsection 34(3) and section 51, comes into force on a day to be named by proclamation of the Lieutenant Governor.

"(2) Subsection 34(3) and section 51 come into force on the day this act receives royal assent."

Motion agreed to.

Section 109, as amended, agreed to.

Section 110 agreed to.

Bill, as amended, ordered to be reported.

Hon Mr O'Neil: Just in closing again, I appreciate the forbearance of all members. I

would also like to thank my parliamentary assistant, the member for Frontenac-Addington (Mr South) and the opposition critics for their co-operation, not only today but also before in helping to put this bill through.

On motion by Mr O'Neil, the committee of the whole House reported one bill with certain amendments.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT, 1989

Mr Ballinger moved, on behalf of Mr Sweeney, second reading of Bill 53, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr Ballinger: I am pleased to introduce for second reading today a bill to amend the Municipality of Metropolitan Toronto Act. This bill will implement a number of requests made by metropolitan council. A number of changes are of a housekeeping nature, while others are of a more substantive nature. The amendments have been structured to permit flexibility and encourage local autonomy.

Several of the amendments relate to the environment: authority to contribute to water pollution control projects, authority to charge waste disposal user fees and authority to make grants to area municipal waste recycling programs. These new programs are permissive and will aid Metropolitan Toronto to deal effectively with important environmental issues.

Other amendments will allow Metro council to determine the number of members on the Toronto Transit Commission and clarify the powers and duties of the Metropolitan Toronto Library board. A 10-year limitation on the right to sell refreshments and liquor in metropolitan parks will be removed. Two amendments bring Metro legislation into conformity with that of other regional municipalities. An exemption from Ontario Municipal Board approval for various undertakings where debentures are not being issued will be extended to Metropolitan Toronto, as will a general prohibition barring council from assisting business ventures.

Overall, this package of amendments will assist the municipality of Metropolitan Toronto to deal more effectively with the changes of today.

Mr Wildman: In the absence of my friend the member for Oshawa (Mr Breaugh), who would normally be carrying the bill for us but who is away on a family matter, I would just say that as we understand it, the legislation as proposed for second reading is legislation that is desired by Metro council and has the support of Metro

council and deals with an important issue regarding, among other things, how one deals with wastes.

I would just say in passing that I think it is unfortunate that besides passing this legislation—someone is talking to me here—as desired by Metro, I think it is long past time for this provincial government to take the initiative with regard to dealing with the garbage crisis in the so-called greater Toronto area, the GTA, and it is important that we have some understanding of how we are going to deal with what is indeed a garbage crisis. We all recognize the difficulties associated with landfill sites, the difficulty in finding landfill sites and the importance of recycling projects, as this bill would allow Metropolitan Toronto to get involved with providing grants for.

1620

I commend the ministry for acting on the wishes of metropolitan council, but I do say that this is one step, a very small step, in the long process of dealing with what is in fact the crisis dealing with waste.

There are a number of other amendments in the bill that deal with a number of various acts of the Legislature. We have no problem with them, and we will be in support of the passage of this act.

I would just say that if it would be appropriate, I would suggest that at this point, considering the emergency that has led to my friend the member for Oshawa having to be absent, perhaps we should consider adjourning the debate at this point and proceeding with the bill on second reading at another point, perhaps next week, if that is acceptable to the House.

On motion by Mr Kwinter, the debate was adjourned.

BUDGET DEBATE (continued)

Resuming the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr South: It is with great pleasure that I rise before my colleagues today to comment on the recent budget tabled by the Treasurer (Mr R. F. Nixon). Many of my colleagues in the opposition have criticized this budget, ignoring the views of many in this province who believe that this is a sound and fiscally responsible budget.

It is a budget that is tough—that is true. However, this government has always met tough issues head on, as have the people of this province. To the Treasurer, my constituents have asked me to compliment him on this budget.

Many believe that this is the best budget he has presented since taking office. Like a fine wine, the Treasurer only improves with age.

The benefits of this budget are threefold: tax savings for individuals with the elimination of OHIP premiums; improved programs and services such as education, health, transportation and social assistance and the renewal of our infrastructure and natural resources, and most important, the restoring of confidence in this province through the continued reduction of the deficit.

This budget reaffirms our commitment to open and accessible government. We have listened to the people. We have recognized the people of this province as our strength.

First, I would like to discuss in some way the provisions in this budget for health. The public of this province demands accessible, affordable, appropriate health services. People come from all over the country to live in Kingston. Why? Partly to be near the quality health services that we provide. The Kingston area is fortunate to have many world renowned doctors who are leading in advanced technologies. We have caring nurses and a caring way of health.

None here can dispute that Ontario residents enjoy one of the best health care systems, not only in North America but in the world. The people of this province can be proud of the quality and access to these services.

The people of Ontario have chosen health care as one of their priorities. Funding for health is almost \$14 billion, and that is one third of the provincial spending. That translates into \$1,450 for every man, woman and child in Ontario. We now have the highest per capita health care system in Canada, and as I have already stated, it is one of the best systems in the world.

However, the challenge is not in doling out money. The challenge is how to creatively manage the resources we have, given the changing requirements of our society, providing the services we deem necessary for our future. Quality assurance will be the best insurance that we are using our previous resources most effectively.

Our society is growing rapidly. The government is concerned, as are the people of Frontenac-Addington, about the effects of escalating costs. We have to also consider the changing demographics and advancing technology. All these things exert tremendous pressure on the health care system.

With the 1990s comes a period of transition in preparation for the 21st century. This govern-

ment believes that changes have to be made in the way health care services are delivered and funded. We must respond to the irrational and widely held belief that more beds means better health care. In fact, services can be provided in alternative ways.

Focusing on people, the services they need and the appropriate place to deliver these services, we are committed to meet the real changing needs appropriately and we will work with the people of the province to come up with solutions to problems in determining the directions for the future. The public discussion paper entitled *Deciding the Future of Our Health Care* is a way of ensuring public participation. It is a way of ensuring that the public has control over its future.

Many of those opposite may remember that when the Liberal government took office it promised to abolish regressive OHIP premiums. The termination of the premium system represents a creative change to the funding of health care services in this province. Most important, it represents a saving of \$1 billion in 1990 for individuals across this province. To the constituents of my riding this means a great deal. It represents a considerable saving for the average family.

The employer health levy will make this system more fair and equitable. As many members are aware, previously some employers paid OHIP premiums, while some did not. An employer health levy of 1.95 per cent of payroll will now be paid by all employers. Small businesses will only pay half of this rate.

The Progressive Conservative members of the opposition may also be concerned, because their federal counterparts in Ottawa will now be required to pay one third of the \$1-billion savings to the residents of Ontario.

With regard to the environment, the environment is one of the hottest topics around these days. It is a concern to many people, including environmental groups, the public and governments both here at home and around the world.

1630

A clean and safe environment is one of the cornerstones of our efforts to improve the quality of life in Ontario. Through the budget initiatives, this government will continue to demonstrate leadership in environmental protection to ensure the quality of our air, water and food.

Once again, we have listened to the people of this province. The public demanded more money on the environment and this government in-

creased environmental spending by 20 per cent, to a total of \$528 million.

However, it is no easy task for the government to meet all of these objectives through increased spending alone. Serious consideration and creative problem-solving is required and has been demonstrated by the Treasurer in this budget.

A greater emphasis has been placed on advanced technology. It can offer solutions to many environmental problems. The environmental technologies program will provide \$30 million over a five-year period to private firms to research and develop new environmentally sound technologies and will help reduce the cost and improve the effectiveness of pollution control. The expansion of current cost adjustment will help stimulate the development of pollution abatement technologies and help business achieve cleaner projects and processes while sustaining competitiveness.

In regard to energy, and as the former parliamentary assistant to the previous Minister of Energy, I am extremely proud to state that the Ministry of Energy is supporting research and development programs that will lead to some exciting new energy options for industry. The EnerSearch program provides R and D grants to industry, universities and research organizations and underwrites about one third of the cost of these projects.

Since the program started in 1986, \$4.4 million has been granted towards promising research projects. Over one third of this funding has been designated to develop new energy supplies. We are extremely excited that the recent budget expanded this program to provide \$3 million in assistance in 1989.

In regard to the tax on tires, I would like to remind the opposition that this has been an innovative initiative to help protect our environment.

Mr Hampton: That's a crock.

Mr South: I ask to the member opposite who disagrees with this position whether he has travelled on the Toronto subway recently and seen the caption: "Politicians are like disposable diapers. They will take 70 years to become environmentally friendly."

I wish to repeat that the opposition has failed to understand the problem that presently exists. This measure will reduce the potential environmental hazards of used tires. It will cover the disposal of tires and research into innovative recycling methods. Is this an unfair tax? I do not believe that it is.

Today our society is faced with the unpopular task of dealing with the problems of waste management. Controlling the growth of our unwanted waste will help reduce the environmental impact on society. Our biggest collective challenge, and one I know members are aware of, will be to change people's attitudes and create a widespread desire to participate in more efficient environmental measures.

People are beginning to understand that disposing of our waste more wisely can protect and preserve our environment. Attitudes can be changed, even in the opposition. We have all been impressed by the way blue boxes have appeared all over the province, as people suddenly became more aware that waste management is a problem that can only be solved by all of us starting at home.

But to speed up these changes in attitude, to increase the understanding of the benefits of efficient waste management practices, takes the help of all community leaders, including the members opposite. Environmentally, economically and socially, waste management makes sense. For much longer than I have been a politician I have been an environmental engineer. I can sympathize with the environmental problems faced by society today. I appreciate that the tire tax is a lesson in accountable environmental economics, a term many of us are unfamiliar with.

In regard to social services, this budget enables individuals in receipt of social assistance to have the opportunity to become more economically independent. There will be improvements to benefits for families with children and recipients facing high shelter costs. To achieve the above there will be a reduction in the complexity of the system, which will provide for greater fairness in the system.

All these initiatives are a response to recommendations by the Social Assistance Review Committee, headed by a Kingston native, Dr George Thomson: a committee that consulted with the people of this province; a committee whose recommendations the opposition supports, recommendations which the opposition criticized the government for not acting upon sooner. Here again the new thrust for social services, as for health, is prevention, not correction after the fact.

Here we have it, a budget with recommendations supported by all sides of this House. There are people in my riding who live a life many of us here could not understand let alone endure, families trying to survive on an income below the

poverty line. Often these people are stereotyped as people who do not want to work. This is not the case, and I believe that many of them are merely victims of circumstances.

By reforming Ontario's social assistance services, as well as other related new initiatives will reduce barriers that make difficult achievement of economic independence. This government intends to give these people their dignity and pride back; \$440 million has been allocated to Transitions, the program that is making this all possible.

In regard to education, recognizing the people of this province as our strength, education has remained the priority of this government. We believe that education is the key to achieving the economic potential of the province and the individual potential of our people. We must encourage a system whereby our children develop basic learning and social skills at an early age. We must set high standards for our youth.

Our secondary educational system must assist students to acquire advanced knowledge that will equip them for post-secondary education and the workforce. In doing this, this budget has increased transfer payments to school boards by 6.1 per cent, to over \$4.1 billion in 1989-90. We are providing funding for school boards to offer half-day junior and senior kindergarten and full-day senior kindergarten where space permits.

In ensuring quality and accessibility of education, capital commitments have been made to provide \$1.2 billion over four years for the construction of schools and for the renovation and repair of older facilities. This funding will ensure that more schools are built to meet the growing demands.

In Frontenac-Addington, overcrowding at schools is a serious problem. Residents demanded that more money be spent on capital construction of new schools in the Kingston area. Listening to the people, the former Minister of Education, the member for Wentworth North (Mr Ward), announced in 1988 that two new schools would be built in Kingston township: \$13 million would be spent on the construction of a new high school and \$3 million would be spent on a new elementary school. This year, the Minister of Education (Mr Conway) has announced that an additional \$4.2 million will be spent on the construction of a second new elementary school in the Bayridge area.

1640

Again, recognizing that technology can work wonders, \$60 million in capital funding will be

provided over five years beginning in 1990-91 to update and consolidate the curriculum and renew teaching equipment. This will provide a highly skilled workforce and thereby increase the competitiveness of this province.

This government wants to invest in our young people. We want to ensure that they are prepared for the challenges of the 21st century. However, our big challenge in this province is to use the money that we are using on education more efficiently.

In regard to municipalities, we in the government recognize that the rapid growth and development in some areas of the province places demands on all levels of government. We recognize the need for increased investment in infrastructure and for certainty in the planning process. It is for these reasons that we increased transfer payments to municipalities to \$4.5 billion in this fiscal year, an increase of eight per cent.

We will set up a new advisory committee on provincial-municipal financing matters to explore issues related to conditional and unconditional grants, property tax assessment, etc.

I believe the most positive of all these initiatives for municipalities is the advance payments of \$413 million in unconditional grants to municipalities, providing a cash flow advantage to municipalities.

Again, this government has listened to the people at the local level. Many of the municipalities in the county of Lennox and Addington and the county of Frontenac found it increasingly difficult to undertake planning for the future when they had difficulty predicting the amount of funding that would be made available in the future.

Recognizing the need for increased investment in infrastructure, the Treasurer has devised a system by which those who benefit significantly and directly from the provision of new public infrastructure will be required to make a greater contribution to the cost of that infrastructure.

Many of those from the greater Toronto area have complained that this is unfair. However, we never hear them complaining about the extremely high appreciation in the value of their homes. These critics complain about the congestion of Toronto transit, the lack of parking in the downtown area, the lack of educational facilities, the high level of pollution in Toronto, etc.

The high standard of living and economic prosperity in Toronto has resulted in an ever-increasing demand for these services from business, industry and the public. This in turn

places new strains on our government. This government is seeking solutions to these complex problems. The pay-as-you-go principle is a beginning.

This government recognizes that Ontario's system of roads, public transit and highways makes an important contribution to the economic health of the province as a whole. Provincial spending will total \$2 billion in this fiscal year, of which \$1.2 billion will be spent in the greater Toronto area. Everyone will benefit from this improved infrastructure. The public has demanded it, and I believe the public is willing to pay for it.

We have new trading opportunities in eastern Europe, and keeping Ontario competitive is essential to our economic growth. Ontario is facing increasing competition from liberalized trade agreements under the free trade agreement, and a stronger European Community.

Our challenge is to keep our economy growing and to maintain our quality of life. Efforts to reduce the budgetary deficit will continue to restore the confidence in this province. It will play an important role in strengthening the province's competitiveness.

The people of this province have become increasingly concerned about the deficit, both at the provincial level and the federal level. We have listened to this concern and are doing something about it. The 1989 fiscal plan reduces the budgetary deficit to \$557 million, a decrease of \$911 million. As members opposite are aware, this is the lowest level in 15 years. Ontario now has the third lowest deficit per capita in Canada.

In conclusion, the record of this Liberal government has been one of action. We have recognized the people of this province as our strength. Ontarians believe we must have a secure economy if we are to continue to grow and to thrive. In order to achieve this, serious consideration and creative problem-solving are required. This government is creatively managing our resources in a time when society is changing rapidly. We are looking at new ways to fund services and programs.

I am proud of the success achieved by this government. Why are we successful? I believe it is due, in large part, to the fact that we have worked in partnership with the people of this province. The more input we get from the public, the more likely we are to make the best choices. I am a believer in collective wisdom.

We must continue to have a vision, to be proactive and to have foresight, and I believe this budget shows that this government has all of

these things. Together we can prepare for our future. Together we are making Ontario a world-class society.

Mr J. M. Johnson: I would like to just make a few comments to refute some of the world-class statements made by the previous speaker in relation to his government. Yesterday, I had the opportunity to attend the Ontario Federation of Agriculture and I heard a lot of farmers complaining about the lack of support from this government in solving a very serious problem pertaining to establishing landfill sites in all parts of the province; not just in Metro Toronto, but in Wellington and Simcoe and many other parts of the province that this government is supposed to serve so well.

Why does the government not take a lead in helping the municipalities develop policies that will apply to all sectors? Wellington has spent over \$1 million in trying to establish a site, just in the planning process, and is far from reaching a conclusion. Data that have to go into Wellington's situation apply to many of the other parts of the province. They could surely design a concept that could serve the needs of the vast majority of the counties, rather than have individual efforts.

An example of the government's willingness to listen is Bill 119, a bill introduced by the present government. They had hearings and approximately 190 groups appeared before the legislative committee. Not one supported the government's position, not one, yet the government refused to accept amendments. What is the point of having a government that pretends to listen? When they have hearings and amendments are proposed to accommodate the hearing process, the government refuses to accept the amendments. They refuse to listen to any of the people they ask to make comments and to provide input. It is a government that does not listen.

1650

Mr Adams: I would like to comment on the excellent remarks by my neighbour and colleague the member for Frontenac-Addington. I was particularly struck by one aspect of his comments on the budget. That is the way in which children appear at various points in this budget. For example, as the member for Frontenac-Addington pointed out, the Transitions program is a new approach to welfare. It is a family-based approach to welfare. The objective is wherever possible to assist the children to effect a transition from welfare to the mainstream of society.

The member for Frontenac-Addington also mentioned the environment and there too we have a child-centred budget where we have developed environmental concerns, such as interest in waste management, in the curriculums of our schools, where we have actually been able to fund waste management programs in the schools so that the students can be involved in environmental matters.

The third area the member for Frontenac-Addington mentioned was the area of education where, as he so rightly stressed, the emphasis has been on kindergarten, grade 1 and grade 2, the very earliest years of school. It seems to me this government has recognized the fact that many problems, for example the dropout problems we have in later years in schools, actually start much earlier. The emphasis in this budget on the first few years of school is a very happy one.

I compliment the member for Frontenac-Addington for an excellent speech on the budget.

Mr Hampton: I have a question arising out of the honourable member's speech. Can the member tell us if the tire tax is an earmarked tax, that is, do all the revenues that come from the tire tax go directly to the Ministry of the Environment or do they go into the sales tax fund? Can the member tell us that?

Mr Campbell: I rise to commend my colleague on a very excellent job, not only in his speech on the budget, but also for the fine work he has done as parliamentary assistant to the Minister of Mines (Mr O'Neil) in helping the minister shepherd the Mining Amendment Act through the various stages. I think it is very important today because today marks a very important milestone in the mining industry. I think it is very important that I draw to members' attention not only a very fine speech, but a very fine job as parliamentary assistant in dealing with this matter.

Mr South: It has been a great pleasure to speak with regard to this government's budget. In response to the member for Rainy River (Mr Hampton), I would like to tell him that the Ministry of the Environment is actively involved with many programs of research, especially into the tire dilemma. The disposal of tires is a really vexing problem. Every time I drive along Highway 2, as I approach Kingston there is the army camp with this great big pile of old tires and nobody knows what to do with it. I will tell the member that this \$5 tax will be put to good use in contributing to the research that is necessary in disposing of one of the great dilemmas of modern-day society.

Mr Hampton: In other words it's not an earmarked tax.

Mr South: This is response time, not answer time.

The Acting Speaker: That concludes the remarks by the member for Frontenac-Addington. In recognition of the change in order of business because of tomorrow's recess, the cancellation of tomorrow's order of business, I would like to call upon the honourable House leader for the government to bring us all up to date in terms of what the House will be doing in the next week.

BUSINESS OF THE HOUSE

Hon Mr Ward: Pursuant to the standing orders, I would like to advise the House of the business for the following week. On Monday we will continue with second reading debate on Bill 68, the auto insurance legislation. That debate, if not completed on Monday, will continue on Tuesday, to be followed by second reading of Bill 48 and Bill 60. On Wednesday we will begin with third reading of Bill 71, An Act to amend the Mining Act, second reading of Bill 81, and will continue and hopefully complete debate on Bills 48 and 60. Thursday in the morning will be private members' business, and in the afternoon we have notice of an opposition day standing in the name of the member for Etobicoke-Lakeshore (Mrs Grier).

BUDGET DEBATE (continued)

Resuming the adjourned debate on the amendment to the motion that this House approves the budgetary policy of the government.

Mr Hampton: I am quite pleased to be able to enter into this debate for a few minutes right now because it gives me an opportunity to explain to the member for Frontenac-Addington (Mr South) exactly what the new tire tax is and to explain why so many people object to it being called an environmental tax. The fact of the matter is it is not in any way an environmental tax. It is not a tax that has been earmarked for the funds to go to the Ministry of the Environment one little bit.

The tire tax is nothing more than addition to, a supplement to the retail sales tax. Moneys that go into retail sales tax go into the government's general revenue fund. Calling it an environmental tax is nothing more than a smokescreen, an attempt to make it a little more palatable for the public. It is not in any way a tax that is earmarked to the Ministry of the Environment. It has not been. The government in fact had an opportunity

to make it so and refused. It turned down that opportunity. Let me use that as the theme to set the tone for our picture of this government's budget and our picture of this government's budgetary and spending priorities.

What many people in this province find reprehensible is this government's habit of bringing out a new tax whether that tax makes any sense fiscally or not, whether it makes any sense in terms of its impact on our society, whether it makes any sense in terms of its impact on consumers, whether it makes any sense in its impact on lower income earners.

People object to this government's penchant for bringing forward a new tax and then trying to disguise it by dressing it up as an environmental tax or a health tax. This tax has absolutely nothing to do with the environment. It is simply taxing people five dollars per new tire. That money then flows into the government's general revenues. It does not go to the Ministry of the Environment, not one cent of it.

It is propaganda the government is engaged in by telling people that this tax has something to do with the environment, making out that this tax is somehow earmarked for the environment when it is nothing of the sort.

1700

That is not the only tax this can be said of. The so-called employers' health tax is not a health tax one little bit. The money from the payroll tax does not go to the Ministry of Health for health programs. It goes into the government's general revenue fund as well.

The government reasoned that if it imposed the new tax on employers' payrolls there would be some objection, so in order to make it a little more palatable, in order to soft-sell it, it calls it an employer health tax levy. It has nothing to do with health whatsoever. It goes into the government's general revenue fund and can be divvied up however the government wants to divvy it up. If they want to use it to pay more sinecure salaries to Liberal members, it can be used that way. If the government wants to use it to reward more of their Liberal consultants, it can be used that way. If Patti Starr needs a little more butter for her bread, it can be used that way. It has absolutely nothing to do with health, not one little bit.

Mr J. B. Nixon: Why don't you ask Bob Rae?

The Deputy Speaker: Order, please.

Mr Hampton: I see that I have got to the member for York Mills, so through you, Mr Speaker, I will address the member for York Mills. I tried to explain this to him yesterday.

Mr J. B. Nixon: Tell us how much money Bob Rae wants.

The Deputy Speaker: Order, please.

Mr Hampton: I tried to explain this to him yesterday. I do not know if he is busy reading and therefore does not hear or if he does not want to hear. That is what people in this province find so objectionable. If they are going to tax, tax. Do not try to hide it by calling it a health tax or an environment tax when it is nothing of the sort. Do not try to colour what is happening. That is what the government is doing.

Mr Fleet: This speech is very taxing.

Interjections.

The Deputy Speaker: Order, please. Would all members please respect the standing orders.

Mr Hampton: Thank you, Mr Speaker. I heard from one of the Liberal members opposite that he found this speech very taxing. I know it is hard to hear the truth, especially when you have been engaging in a prolonged campaign of covering it up.

These taxes have something else that grates on the public of Ontario. They have something else that grates on the public of Ontario. Let's just take this tire tax, for example. This is not a tax on income. It is not a tax on wealth. It is not a tax on capital gains. It is simply a tax on a consumptive good, and as a consumptive good it hurts those parts of the province more that have to engage more in overland transportation.

It is not particularly an effective tax here in Toronto, but if you get out into rural Ontario, if you go to northern Ontario—I might add they are parts of the province where disposable income is less than it is here in Toronto—if you go to those parts of the province, this tax has a particularly painful impact.

How do you explain it to someone, for example, who lives in the northern part of the province who has to drive to Winnipeg or Thunder Bay for medical attention? There are many people who have to go every week to those cities for medical attention and who have to go through three sets of tires in a year. How do you explain to them that they should have to bail more money out of their pockets? How do you explain the progressivity of this tax? How do you explain the equity of this tax? You cannot. You cannot explain the progressivity or the equity of it. Therefore, you called it an environmental tax and hoped no one would ask any more.

This is a regressive tax. By and large, it hurts those people who live in the less well-off parts of Ontario more than it hurts those people who live

in the more well-off parts of Ontario. It hurts those people who have to travel the farthest, those people who have to travel the most frequently. Those people who have to travel over the roads of least quality have to pay this tax the most. This is quite simply a discriminatory tax, but you are becoming known for this kind of tax.

Interjections.

The Deputy Speaker: Order, please. Please sit down. The member will address his remarks through the Speaker, and as we say, using the third person singular or plural. Members do not address other members directly, for one thing. Will other members use the provisions of the standing orders. If they want to make comments, they each have a two-minute period after the member's speech, not during.

Mr Hampton: Thank you for your corrections, Mr Speaker. I will do my best to follow your instructions.

Let's move on to the so-called employer health levy, which has nothing to do with health. Again, it is another tax grab; another long arm of the government reaching out into people's pockets to inflate the general revenues of the government however the government chooses to spend those revenues. The employer health tax fails on all of the tests again.

Does it show equity? Not in the least. If one is a self-employed real estate speculator in downtown Toronto, one does not pay this tax because chances are that what one has is an answering device and no employees. If one is a self-employed lawyer in Thunder Bay, one has one secretary and one's annual income is \$100,000. One does not pay this tax on one's own income; one pays it only on the \$20,000 salary one pays to one's secretary.

Similarly, if one is a sole practising doctor and one has a receptionist and that is all one has, one may have the average annual income of most doctors of the province—that is \$120,000—and one does not pay any of this payroll tax on one's own income; one pays it only on what little amount one pays that receptionist.

I do not know what tests the Liberal government uses, but any of the tests that I apply to that tax tell me that it is most unequal, it is most regressive and it is most unfair in its impact. Who does it impact on? Who is it going to hurt? It is going to hurt those industries that are labour-intensive and those types of economic activities that create more jobs, because for every job we create, we have to pay more tax. What an insidious, silly tax, and this government says it

cares about small business; it believes in small business.

If the government wants to tax small business for this tax, then it should create an income tax that taxes income of small business because, quite frankly, there are small businesses out there that are having a tough enough time as it is. They have several employees and they will not be able to stand the impact of this tax. They simply do not have the income available to allow them to pay this tax if it is based not on their income but on the number of employees they have. Again, it is a very regressive tax and a very silly tax.

To cover up how silly and regressive it is, the government then comes out and says it is an employer health tax. We all wish the government would not engage in this kind of subterfuge. We all wish the government would just come clean and say: "Look, we need more money for general revenues. We are going to impose this kind of tax." Then people would be able to take their gloves off and, without dealing with all the packaging, tell the government exactly what they thought.

As it goes, we have to wade through the packaging for a month and then we get the reaction. I know, from speaking to some of the government members here, they realize the reaction in their home constituencies is not good. People are telling this government there are a lot of fairer ways this tax could have been brought in and could have been managed.

Those are just two elements, two taxes where the government has said: "This is an employer health tax. This is an environmental tax." But neither of those statements is true. They are simply not true. The tire tax has nothing to do with the Ministry of the Environment. The revenue is not earmarked for the Ministry of the Environment. It is going into the government's general revenues. The government may just spend it on whatever it wants.

The so-called employer health levy has nothing to do with the Ministry of Health. It is money that goes into government general revenues and the government can decide how it is going to spend it, depending upon the political vicissitudes of the moment.

Mr Dietsch: Where do they get the money from?

Mr Hampton: I love it when members of the government ask where the government gets the money.

The Deputy Speaker: Order, please. The member for St Catharines-Brock (Mr Dietsch) is out of order.

1710

Mr Hampton: Thank you, Mr Speaker. Mr Speaker, maybe if you have time you could explain to the member for St Catharines-Brock some elementary details about where government does get money: government taxes, government charges for licences, and government charges for the consumption of liquor and so on at its Liquor Control Board of Ontario stores. That is how government gets money. Unfortunately, as I have tried to point out today, some of the ways this government is getting money are most regressive and most unfair. That has people quite upset in this province.

I have to thank the member for Frontenac-Addington for jogging my memory on something else, because he said this government is very committed to the environment. I want to just dwell for a moment on an environmental issue and an environmental problem which affects the greatest percentage of land mass in this province. I am talking about virtually all parts of Ontario north and east and west of Barrie. I am talking about the forest lands of Ontario.

I will tell members about the forest lands. We have heard in this House and we have heard Liberal politicians outside this House say, "What a shame it is that in Brazil the Brazilian government is allowing the Amazon rain forest to be cut and burned indiscriminately." We have heard Liberal politicians point out that this has dire effects for the world's environment in terms of the oxygen and carbon dioxide balance and in terms of the whole greenhouse effect. We have heard all that.

We should look within our own boundaries. We should look at our province, because while this government professes to be so concerned about the environment, last year it cut from the budget of the Ministry of Natural Resources \$6 million from the firefighting capacity.

The point here is that the proper treatment of our forest environment is just as important as the proper treatment of the Amazon forest. Forests in Canada play a very important role as well in terms of regulating our environment, regulating our climate and the carbon dioxide/oxygen exchange. All of those things are just as important here as they are in the Amazon.

Yet this government, which says it is concerned about the environment, cuts \$6 million off the budget of the ministry which is suppose to protect and preserve our forest lands. It simply goes to the Ministry of Natural Resources and says, "Cut \$6 million out of your forest fire

protection money." That is a matter of public record.

What is even worse in this analysis is that the Ministry of Natural Resources itself knew that because of the greenhouse effect, the frequency and severity of forest fires across northern Ontario has increased generally over the last 10 years. The Ministry of Natural Resources has its own studies to confirm that. It has studies from the Canadian Forestry Association to confirm that. Yet in the face of that evidence, the government imposes those kinds of cuts on a service which has the duty to protect, preserve and conserve Ontario's forest lands.

That does not indicate concern with the environment. It does not indicate that at all. It does not indicate concern with one of our most important environmental aspects. It indicates to me a government which promotes itself—yes, promotes itself. It does a lot of promotional work talking about how good it is on the environment, but when we scratch beneath the surface and look at the fine print, the performance simply is not there.

I want to move on to another environmental concern which reflects upon this government's budgetary priorities and its other priorities as well. The city of Winnipeg is located two hours away from Ontario by car. The city of Winnipeg gets its water supply from a lake that is in Ontario. It is a lake that until now has had a water supply that has been so clean that the city has not had to use water treatment facilities. It could take water directly out of the lake and feed it into the city's water lines and it was fit to drink.

Lo and behold, a corporation decides it might want to build a gold mine on this lake. We all know what gold mining means. It means things like cyanide, arsenic and several other potential pollutants because of the chemicals involved in separating the gold from the waste ore.

The city of Winnipeg, concerned citizens of Winnipeg, the government of Manitoba all appealed to the Minister of the Environment. They said: "Please do not put some of your financial considerations in front of our health care and our environmental considerations. Please remember that in the modern world pollution moves around the globe. Pollution of our environment can occur as a result of something done across your boundaries."

They received no response from the Minister of the Environment. In fact, he said: "Everything is wonderful. Everything is fine. We are not concerned." It was not until arsenic, cyanide and several other harmful chemicals started appear-

ing in the lake that the Minister of the Environment finally realized the error of his ways and backed off his original position.

I want to say to the members of the government, that does not indicate a concern with the environment. If this government tries to say that a large part of its budgetary and fiscal arrangements are based upon a concern for the environment, the proof is simply not in the pudding.

Now that we have sort of set the environmental record straight here with a few real-life examples, I want to go on to boards of education and municipalities.

We live in a complicated world. We live in a world where money changes hands very quickly. We live in a society where literally billions of dollars can change hands electronically in a day. For government members simply to cite raw numbers, raw funding amounts, and say there is \$5 billion here and \$6 billion there and to expect that is going to pass muster, that is going to meet the test, is just not going to work.

When we sit down and read the fine print in terms of what the government has allocated to municipalities in unconditional grants and grants for streets and roads, we see that in fact the government over the last two years has basically starved municipalities. I know it, government members know it and most of all the municipalities out there know it.

The municipalities out there know that in fact their budgets have been flat-lined. They know that. They know what the government has done. It makes its announcements in a flurry and then it scurries back, closes the door and hopes that for two weeks or three weeks people will be impressed with the raw numbers and no one will look beneath the surface. But municipal councillors who have looked beneath the surface know they are not even receiving enough money from this government to cover the rise in the cost of living. They are not even getting enough money from this provincial government to cover the effects of inflation.

Boards of education are in an even more difficult position, because in terms of boards of education, not only has the government flat-lined their general budgets, it has also changed the formula for capital budgets. Every time a school board builds a new school now under this government's latest spending regime, more money has to come out of local taxpayers' pockets and less money comes from this provincial government.

The saddest fact of this is that when you cut off the funds to municipal governments and to local school boards, there is only one place that those bodies can go to get funds: the property tax. And what is the most regressive tax we have? The property tax. If you are working in the service sector, and you are making \$7 or \$8 an hour, you simply do not have the income to pay the increased property taxes. If you are in a small business, and you are struggling to get along, you may simply not have the growth and income each year to cover the growth in property taxes, because the property taxes bear no resemblance and bear no relationship whatsoever to your income.

Again the end result of this government's spending and taxing regime has been to increase the most regressive taxes, the taxes which bear hardest on those people who have the least ability to pay. We call this increasing taxes through the back door. When municipal councils increase their budgets because they have no choice and school boards increase their budgets and increase the property tax because they have no choice because they are not getting the money from the province that they should, the government hopes the local school boards and the local municipal councils will take the blame or the heat for this.

So long as there are a few Liberal politicians on some of the school boards and the municipal councils, perhaps they will keep quiet. But you need only read the resolutions of the municipal associations, or their minutes or press releases, to understand that they have had enough of what this government has done to them.

The sad result of all this—this has been confirmed by the Canadian Council on Social Development, and it has been confirmed by the National Council of Welfare—is that for lower-income families in Ontario the tax increases have been too large in the last four years. They have simply been too large, and they have been very painful.

In fact, the studies by the Canadian Council on Social Development and the National Council of Welfare show that it is becoming increasingly difficult in Ontario for lower-income families to make ends meet; not easier, but tougher, harder on those families.

That is the test that ought to be applied to this government's fiscal and budgetary and taxing arrangements. Do they impact on those who have wealth? Do they impact on those who have high incomes or do they impact most greatly on those who have the least ability to pay?

All the evidence suggests this government's spending and taxing priorities have had the greatest impact, the greatest negative impact on those who have the least ability to pay in this province. That is a very sad comment on this government.

This government can bring in some good programs, and it can give good speeches, but the bottom line is that if at the end of the day the people who are paying the freight, the people who are being impacted the most and in the most negative way, are the people who have the least ability to pay, then that is a very sad comment on this government.

That is the test that ought to be applied to this government; and when that test is applied to it, this government fails pure and simple.

Mr Dietsch: I would not want to miss this opportunity to comment on the member's comments on the budget. I suggest in a very sincere way that the member take a little time and study how municipal financing works.

He refers to grants being flat-lined, does not seem to know the difference between unconditional grants and conditional grants and has no concept of what happened with respect to the grant programs over the last year. He stands up in this House day after day and demands time after time to spend more money on this program or that program. He has no alternatives to offer from where the money comes; he only has criticisms to offer.

In the time I have sat in this House listening in a very sincere way to the criticisms that have been lodged, I have been looking in a very meaningful way to find answers. What is the honourable member suggesting? I know that many of the people in this House have an opportunity to listen in a very intent way, but he never comes through with answers.

I will tell members what I see, from my view, as to the position on the environment of the official opposition. Their position is for their leader to go up and lie down in front of the trucks, stop the logging on the road, take the people's jobs away from them. That is their answer to the environment, and there has not been any other answer in this House in that length of time.

Is that the kind of thing they are supporting? Are they supporting that we should stop all work? Are they supporting that we should stop everything that we are doing, stop all the spending? If so, then for God's sake stop all the requesting.

Mr Ballinger: I am very pleased to rise and donate my two minutes to this wonderful democracy in Ontario. Unfortunately, I happen

to like the member for Rainy River (Mr Hampton); I just do not happen to like his party or the arguments he poses.

He stands here in the House and accuses us—we wonderful Liberals on this side—of being a propaganda machine. If I have ever seen a propaganda machine, it is that party over there, the official opposition. I just sat here and listened for almost 25 minutes to about as big a bag of wind as I have heard in this Legislature.

Interjections.

The Deputy Speaker: Order, please.

Mr Ballinger: Not one concrete suggestion or recommendation; all we ever get on this side of the House is the sort of negativism that just involves banging the government. It does not matter whether it is a good, bad or indifferent policy; their argument over there is always, "If you propose it, we oppose it." That is all we ever hear in this House.

For the member for Rainy River to cite the tire tax is a classic example of his not understanding. In this budget, the Treasurer increased the environmental budget by 20 per cent over last year to the tune of slightly over \$500 million. We are spending \$500 million on environmental protection in Ontario, and he stands up here and says we have a tire tax and we have no direction for it. Certainly the money went into the general revenue; but it was passed on through the budgetary process to the Minister of the Environment (Mr Bradley).

It is typical. The member for Rainy River does not, never has and will not understand what he is talking about.

Interjections.

The Deputy Speaker: Order, please. Before I proceed with the next member, I remind members again that the standing orders do not allow members to address members directly—only through the Speaker, third person, singular.

Mr Wildman: Mr Speaker, through you, third person, singular, I want to congratulate the member for Rainy River for his presentation, because he made very clear the duplicity of the government with regard to its rhetoric about environment.

In regard to the comments just made by my friend the member for Durham-York (Mr Ballinger), I think the member for Rainy River understands—

Mr Adams: On a point of order, Mr Speaker—

The Deputy Speaker: Do you have a point of order? Which standing order?

Mr Adams: The honourable member is supposed to be responding to the member for Rainy River rather than to my colleague the member for Durham-York.

Mr Ballinger: So there.

Mr Wildman: Again through you, Mr Speaker, I just want to say that the unfair comments made about my colleague the member for Rainy River regarding the tire tax indicate the misunderstanding of my friend the member for Durham-York.

We had an experience in this House where a Minister of Natural Resources imposed a new tax, a licence fee for fishing, and he told the anglers of this province the fee would be used specifically to restock fish and to improve the habitat for the sports fishery in this province. In fact, far less than was collected has been spent on that, and that is exactly what is going to happen with this tire tax.

As soon as you raise a tax and it goes into the revenue fund, it is up to the Treasurer how it is allocated and the effectiveness of the minister in getting the funds away from the Treasury. We have seen in most cases that the ministers are completely ineffectual in that regard.

Mr Fleet: The speech of the member for Rainy River was filled with so many errors it is impossible to cover them all in two minutes. I will try to deal with some of the worst examples.

First, there was the tax on tires. From the point of view of the environment, it does not seem to me to matter why the tires are being used, whether somebody lives in northern Ontario or southern Ontario. The point is, they are difficult to dispose of. What the honourable member did not bother to mention was that we are also taxing fuel-inefficient cars and pesticides.

The member will also know I have advocated that we broaden that kind of approach to tax products that are difficult to dispose of and products that have excess packaging. I would have thought, if he shared in caring for the environment, he would have advocated that we do more of that.

I might add that I am not somebody who is opposed to having some kind of earmarking, but whether or not that takes place, the fact of the matter is the moneys are being spent on the environment. I believe the increase in funding on the environment is some 70 per cent over the last five years, a really dramatic change by anybody's standard, and it has been recognized quite clearly.

The other thing is, on small business, we have a lower tax rate for the employer health tax; some

70 per cent of all businesses in Ontario will get something less than the two per cent rate that is applicable for large companies. In addition, one should never forget that we are abolishing OHIP premiums, and that is a \$1-billion immediate tax saving to citizens all over, for ordinary Canadians. I would have thought the honourable member would have cared about ordinary citizens and ordinary Canadians a lot more than he exhibited in his speech.

I do not have time to go into the last point in great detail, but I wish the honourable member would speak with his friend the member for Algoma (Mr Wildman) about the expert evidence we heard on the Temagami issue, where they were actually advocating to allow more forest fires to continue where property and persons were not endangered. I wish he would study it, because he represents a northern riding.

Mr Hampton: I cannot deal with all the comments. I will deal with the one or two that had some attempt at a logical point behind them. Let me first say to the member for St Catharines-Brock (Mr Dietsch), I have never served on a municipal council, but I have been a teacher.

Interjections.

The Deputy Speaker: Order.

Mr Hampton: I have been a teacher, and I have worked very closely with my municipal councils. I want to tell the member just briefly what a lot of school boards are going through right now. His remarks got to me, because I have seen school boards out there that have to make difficult choices about whether they are going to award funding to general programs or to special education. Too many kids in this province are doing without special education because of this budget, and I invite him to go around and look at some of those communities.

Interjections.

The Deputy Speaker: Order, please.

Mr Hampton: Finally, let me talk to the member for Durham-York, otherwise known as Barnacle Bill.

Mr Grandmaitre: You're not supposed to refer to him by name.

Mr Hampton: Let me suggest that there are three ways this government could have taxed differently and could have taxed more progressively. It could have imposed a land speculation tax, particularly in urban southern Ontario—

Mr Curling: Pick on Toronto again.

Mr Hampton: —where it may have taken some of the heat out of the housing market, and it

may have gone after some of those folks who are reaping tremendous capital gains at the expense of people who need housing.

Second, it could have imposed a minimum corporate tax. A minimum corporate tax, even in the land of Ronald Reagan and George Bush, is something which is a reality.

Finally, they could have imposed a capital gains tax.

The Deputy Speaker: Thank you. The member's time is up.

Could I remind the members again of the standing orders.

Miss Martel: Which one?

The Deputy Speaker: Actually, almost all of them. Can I ask the members to respect the standing orders, that when a member is making a speech, to make your comments after at the appropriate time and, again, to address all remarks through the Speaker.

Another point: The House is no place to refer to other members by other terms except the name of their riding, of course.

Mr Curling: Before I even begin my points on the budget, I just want to commend the member for Frontenac-Addington for his excellent remarks, right on target.

I was feeling extremely uplifted by the points he was making, and then the member for Rainy River made that terrible attack on this individual. So ill-informed he is and so incorrect in his facts that at times we were forced to get up today. I had hoped that the time would have been about two or three hours in which I would have been able to address some of the issues here.

While I am on my feet, Mr Speaker, I would also like to commend you for the disciplined way in which you conduct this House and some of the members who have not adhered to the standing orders.

I would like to say, though, how extremely fortunate we are in this province to have an individual in our government like the Treasurer. He has such experience, such talent, that I am sure that not only this province is proud of him but the entire country. Any province would have liked him for a treasurer of their province. I just want to commend him for expressing and bringing forward a budget that is so progressive.

Members will notice that the budget of 1989 brought forward services for Ontarians that they never had before. I am so proud to be a part of a government that has worked so hard to reverse the kind of irresponsible manner in how this government was being run and the province was being handled.

If I can just go back four or five years, as you have noticed, the budget in 1987-88 was then about \$34.9 billion. Today, the budget of 1989-90 is \$41.29 billion.

When members stand up and talk about how we have not adhered to our election promises, they seem to forget, just as recently as today, some of the commitments the government has expressed. Commitments to education, social assistance, safe and secure communities, health, environment and economic development are things that were addressed, and I was extremely proud to know that today I was able to speak at a time when statements were made in the House honouring those commitments.

I do not have the time to go into all, but I would like to take one of those commitments; that is, education.

1740

I will just recite from the budget here that, as members know, in 1987 there was \$4.2 billion for the Ministry of Education, and today, \$4.9 billion. In the Ministry of Colleges and Universities there is also a significant increase, from \$2.3 billion to \$2.6 billion; in the Ministry of Skills Development, from \$38 million to \$433 million. If the opposition members can stand in this House and say that we are not committed to education, after an increase of funding that we have seen here, I do not know what they are talking about. I do not think they are trying to be very honest about it at all.

Let us look seriously at education and the resources that we are trying to develop in our country, in our province. That is our people. We look at countries like Japan, approximately 125 million people in that small place, and a vast land such as Ontario having about 9 million people in our province. There is a tremendous amount of wealth of other natural resources that we depended on so much to make this place a wealthy place, but our most important resource is our people. The lack of people, the lack of the population, the underpopulation is something that we are facing every day, that our immigration policy has not lived up to in attracting more immigrants to our country, which we need so desperately.

Yet in comparison with the amount of money that we have just described and the amount of money that the Treasurer has put forward in the budget to address education, we should have been some of the most educated, most talented, most trained personnel in the world. However, we look at our adult population of illiteracy—24 per cent of our adults are functionally illiterate.

We must address that. Money alone will not be the answer in dealing with one of our most important natural resources in this country.

If we continue in the manner in which we are going, the competitive manner with Japan and Korea, and even countries like Cuba and Barbados, where the illiteracy rate is 98 per cent and 92 per cent, there is no way that we will see ourselves to be one of the leading nations of the world in competing, because technology is moving at a clip so fast that some of the comprehension of the highly intelligent people is unable to even comprehend that. So when the opposition members stand up in this House and speak about our commitment to our people and say we are not putting our money where our mouth is, I think they should look back on the neglect in which this issue had been addressed in the past. No wonder the people have spoken so loudly and have put the Conservative government in third place, and the manner in which they had behaved, they should have been wiped out completely.

However, the democratic process says to us that the people have due rights. Some of the excellent members we have from the Tory party—which again, if members should see the interest of a budget which is so important, we want them to have some response and input into this debate—they are not here today, not one single Conservative member is over there.

Mr Wildman: They have gone to our convention.

Mr Curling: As the honourable member from the official opposition says, maybe they went to the convention of the New Democratic Party to learn something. But again, the response I was hearing from the member for Rainy River and other members with regard to the budget tells me there is not very much they will learn there anyhow.

We talk about in the year 2000, when it comes. There is no magic to the year 2000. There is no magic today to see that our people are not properly trained, are not a properly skilled workforce.

I would urge all members, especially the opposition members of the third party, to encourage their colleagues in the federal government to pay more attention to training and retraining. In cutting back on the unemployment insurance benefits that people do get, to see that they are answering to training in that respect, is not the way. Sure, we would like to take people off welfare and make a paycheque instead of a welfare cheque for those people who are

collecting welfare. The George Thomson report, *Transitions*, showed explicitly that one does not want to be on welfare; one would like to be more productive if the infrastructure is there to support that.

There is much we can do. We hope that the members of the official opposition who come in here every day—we have provided for them funds in order to have good research, but I am extremely disappointed with some of those questions that come out of question period. They are ill-informed and not targeted in a manner that can put us on our toes. Thank God for good government, for good Liberal government, that regardless of the opposition and the criticism that we receive, we proceed in a manner to address the issue in a very intelligent manner, putting the money where it is properly deserved.

I know, Mr Speaker, though you listen so attentively, and we would like to stay here, that the time does not afford me to go into the other details. I would have loved to have talked about social services and, as I am urged by my colleagues, to go on for the next half an hour.

What we have seen here in the last budget—we have the lowest deficit in 15 years. What is this triple-A rating of this opposition, the previous government that was in here before? What is the use of a triple-A rating when we have this large deficit? We are able, this government, to continue with a high rating, a triple-A rating, and still have the lowest deficit there. But as I pointed out, low deficits will not in themselves address some of the major issues, and to continue on a very serious note, I am telling the members that our people are not properly trained. Our people are not properly educated, because the results show it.

We are seeing again, and I must emphasize that we have people who are showing that they have graduated from universities and still have a functioning illiteracy level. We have seen people who show a grade 12 diploma—and my colleague the member for Ottawa South (Mr McGuinty) has gone across this province and has spoken to many, many interest groups on that issue and indicated for a number of years—and as my parliamentary assistant when I was the Minister of Skills Development, he came in and he was pale from the shock of what he was seeing outside there to say that our people are not educated.

I urge every single member here to go out in 1990, which is the International Year of Literacy, and push the cause that our people should be literate in order to face this challenge. We have

this technological era that is coming that is replacing all this learned process that we talk about in the school system that is again not seeming to be producing the type of education that we need. Spending money will not solve it.

I hope that on another occasion I will be able to express some of the other concerns I have in our social services and our health plan here. Just one quick comment: If we are spending \$13 billion on health, we either have to be the sickest society in the world or maybe we have to be the healthiest society in the world. It is a lot of money to spend. As the Minister of Health (Mrs Caplan) each day stands up in this House to talk about how fiscally

responsible she will be in making sure that these funds are spent properly, I am confident that we are moving to the year 2000 with a government that can meet those challenges in the way they should be met.

On motion by Mr Curling, the debate was adjourned.

The Deputy Speaker: I would like to remind members that the House does not sit tomorrow but it will resume next Monday at 1:30 of the clock.

The House adjourned at 1751.

ERRATUM

No.	Page	Column	Line	Should read:
72	4136	1	32	WASTE DISPOSAL
Sessional paper P-31, re waste disposal site at Goulais River.				

ALPHABETICAL LIST OF MEMBERS*

(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

-
- Adams, Peter (Peterborough L)
 Allen, Richard (Hamilton West NDP)
 Ballinger, William G. (Durham-York L)
Beer, Hon Charles, Minister of Community and Social Services (York North L)
Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)
 Bossy, Maurice L. (Chatham-Kent L)
Bradley, Hon James J., Minister of the Environment (St Catharines L)
 Brandt, Andrew S. (Sarnia PC)
 Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)
 Brown, Michael A. (Algoma-Manitoulin L)
 Bryden, Marion (Beaches-Woodbine NDP)
 Callahan, Robert V. (Brampton South L)
 Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)
 Carrothers, Douglas A. (Oakville South L)
 Charlton, Brian A. (Hamilton Mountain NDP)
 Chiarelli, Robert (Ottawa West L)
 Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)
 Cooke, David R. (Kitchener L)
 Cooke, David S. (Windsor-Riverside NDP)
 Cordiano, Joseph (Lawrence L)
 Cousens, W. Donald (Markham PC)
 Cunningham, Dianne E. (London North PC)
 Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)
 Curling, Alvin (Scarborough North L)
 Daigeler, Hans (Nepean L)
 Dietsch, Michael M. (St Catharines-Brock L)
 Eakins, John F. (Victoria-Haliburton L)
Edighoffer, Hon Hugh A., Speaker (Perth L)
 Elliot, R. Walter (Halton North L)
Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)
 Epp, Herbert A. (Waterloo North L)
 Eves, Ernie L. (Parry Sound PC)
 Farnan, Michael (Cambridge NDP)
 Faubert, Frank (Scarborough-Ellesmere L)
 Fawcett, Joan M. (Northumberland L)
 Ferraro, Rick E. (Guelph L)
 Fleet, David (High Park-Swansea L)
Fontaine, Hon René, Minister of Northern Development (Cochrane North L)
 Fulton, Ed (Scarborough East L)
 Furlong, Allan W. (Durham Centre L)
 Grandmaître, Bernard C. (Ottawa East L)
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)
 Haggerty, Ray (Niagara South L)
 Hampton, Howard (Rainy River NDP)
 Harris, Michael D. (Nipissing PC)
Hart, Hon Christine E., Minister of Culture and Communications (York East L)
 Henderson, D. James (Etobicoke-Humber L)
 Hošek, Chaviva (Oakwood L)
 Jackson, Cameron (Burlington South PC)
 Johnson, Jack (Wellington PC)
 Johnston, Richard F. (Scarborough West NDP)
 Kanter, Ron (St Andrew-St Patrick L)
 Kerrio, Vincent G. (Niagara Falls L)
 Keyes, Kenneth A. (Kingston and The Islands L)
 Kormos, Peter (Welland-Thorold NDP)
 Kozyra, Taras B. (Port Arthur L)
Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)
 Laughren, Floyd (Nickel Belt NDP)
 LeBourdais, Linda (Etobicoke West L)
 Leone, Laureano (Downsview L)
 Lipsett, Ron (Grey L)
 Lupusella, Tony (Dovercourt L)
 MacDonald, Keith (Prince Edward-Lennox L)
 Mackenzie, Bob (Hamilton East NDP)
 Mahoney, Steven W. (Mississauga West L)
Mancini, Hon Remo, Minister of Revenue (Essex South L)
 Marland, Margaret (Mississauga South PC)
 Martel, Shelley (Sudbury East NDP)
 Matrundola, Gino (Willowdale L)
 McCague, George R. (Simcoe West PC)
 McClelland, Carman (Brampton North L)
 McGuigan, James F. (Essex-Kent L)
 McGuinty, Dalton J. (Ottawa South L)
 McLean, Allan K. (Simcoe East PC)

- McLeod, Hon Lyn**, Minister of Energy and Minister of Natural Resources (Fort William L)
- McClash, Frank (Kenora L)
- Miller, Gordon I. (Norfolk L)
- Morin, Hon Gilles E.**, Minister without Portfolio (Carleton East L)
- Morin-Strom, Karl E. (Sault Ste Marie NDP)
- Neumann, David E. (Brantford L)
- Nicholas, Cindy (Scarborough Centre L)
- Nixon, J. Bradford (York Mills L)
- Nixon, Hon Robert F.**, Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)
- Oddie Munro, Lily (Hamilton Centre L)
- Offer, Hon Steven**, Solicitor General (Mississauga North L)
- O'Neil, Hon Hugh P.**, Minister of Mines (Quinte L)
- O'Neill, Yvonne (Ottawa-Rideau L)
- Owen, Bruce (Simcoe Centre L)
- Patten, Hon Richard**, Minister of Correctional Services (Ottawa Centre L)
- Pelissero, Harry E. (Lincoln L)
- Peterson, Hon David R.**, Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)
- Philip, Ed (Etobicoke-Rexdale NDP)
- Phillips, Hon Gerry**, Minister of Labour (Scarborough-Agincourt L)
- Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)
- Pollock, Jim (Hastings-Peterborough PC)
- Polsinelli, Claudio (Yorkview L)
- Poole, Dianne (Eglinton L)
- Pope, Alan W. (Cochrane South PC)
- Pouliot, Gilles (Lake Nipigon NDP)
- Rae, Bob (York South NDP)
- Ramsay, Hon David**, Minister of Agriculture and Food (Timiskaming L)
- Ray, Michael C. (Windsor-Walkerville L)
- Reville, David (Riverdale NDP)
- Reycraft, Douglas R. (Middlesex L)
- Riddell, Jack (Huron L)
- Roberts, Marietta L. D. (Elgin L)
- Runciman, Robert W. (Leeds-Grenville PC)
- Ruprecht, Tony (Parkdale L)
- Scott, Hon Ian G.**, Attorney General (St George-St David L)
- Smith, David W. (Lambton L)
- Smith, E. Joan (London South L)
- Sola, John (Mississauga East L)
- Sorbara, Hon Gregory S.**, Minister of Consumer and Commercial Relations (York Centre L)
- South, Larry (Frontenac-Addington L)
- Sterling, Norman W. (Carleton PC)
- Stoner, Norah (Durham West L)
- Sullivan, Barbara (Halton Centre L)
- Sweeney, Hon John**, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)
- Tatham, Charlie (Oxford L)
- Velshi, Murad (Don Mills L)
- Villeneuve, Noble (Stormont, Dundas and Glengarry PC)
- Ward, Hon Christopher C.**, Minister of Government Services (Wentworth North L)
- Wildman, Bud (Algoma NDP)
- Wilson, Hon Mavis**, Minister without Portfolio (Dufferin-Peel L)
- Wiseman, Douglas J. (Lanark-Renfrew PC)
- Wong, Hon Robert C.**, Minister of Citizenship (Fort York L)
- Wrye, Hon William**, Minister of Transportation (Windsor-Sandwich L)

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 78

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Second Session, 34th Parliament
Monday 4 December 1989

Speaker: Honourable Hugh A. Edighoffer
Clerk of the House: Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 December 1989

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SALVATION ARMY

Mr Farnan: In 1988 the Salvation Army closed its homes for the aged in Cambridge. The home, the former Galt Hospital, was transferred to the city of Galt under a private member's bill in 1955 and a short time later sold to the Salvation Army for \$2. The city of Cambridge transferred adjacent lands for \$21,900 in 1982. The Ministry of Community and Social Services has spent over \$400,000 in renovations to the home.

In 1989 the Salvation Army entered an agreement with Winfield Developments from Winnipeg to sell the land for the construction of luxury condominiums. This will result in a financial gain of between \$2 million and \$4 million for the Salvation Army.

These profits should stay in Cambridge. The Salvation Army was the recipient of these lands because of its commitment to provide a home for the aged in Cambridge. These moneys could be well used for the construction of the elderly persons' centre in Cambridge that is currently at the planning stage.

Charitable organizations are not above the law and certainly the government should clearly state the standard of moral conduct we expect from them. I regret that many of us in Cambridge find ourselves in this particular confrontation with the Salvation Army, but we in this House must realize it is necessary from time to time to question all institutions.

I believe the Salvation Army should make the generous offer of leaving this money in the city of Cambridge and returning those funds owed to the Ministry of Community and Social Services.

AUDREY McLAUGHLIN

Mr Cousens: On behalf of our party I would like to congratulate Ms Audrey McLaughlin, who was elected leader of the federal New Democratic Party this past weekend in Winnipeg.

Mr Speaker, as you know, we do not always agree with members of the opposition, either

official or unofficial, at Queen's Park, and we have similar disagreements on points of policy and future directions for Canada with the federal NDP. However, I know there is one question that all members of this House and the federal House of Commons do agree on, and that is that the people of Canada are best served by having the most capable, hardworking and committed leaders possible.

This past weekend the members of the federal New Democratic Party decided that Ms McLaughlin fits that bill. We acknowledge and accept their choice and we wish her well as she works for the betterment of all Canadians.

I also wish to acknowledge the hard work of all the candidates in the race to succeed Mr Broadbent. Their participation in one of the most basic exercises in a healthy democracy, next to a general election, demonstrates a vitality in our electoral system that must serve as an example to the rest of all the world and as an inspiration to those countries now taking their first cautious steps to an open, multiparty style of government.

It is a good day for Canada when a woman of her stature and interest in the wellbeing of all people is given this position of honour and responsibility.

Mrs E. J. Smith: I wish to join the member for Markham and, especially as a woman parliamentarian, congratulate Ms Audrey McLaughlin on her recent win as national leader of the New Democratic Party.

The role of women in government, regardless of party, is important in more than symbolic terms. Women, whether from the western provinces or from other areas such as urban Ontario, bring their own experiences and their perceptions to the halls of government. We all benefit together and the country benefits by this broadened perception.

There are many problems in our society that particularly impact on women. Traditionally, they are problems such as those involved in the care of our children and often the care of our seniors and those who are less fortunate in our society.

As well as that, the workplace has changed dramatically with the presence of numerous numbers of women and this too must bring us to

address the problems that occur in the workplace. Particularly because of the presence of more women in those areas, this makes it particularly important at this time that we have women visible in our government, bringing their perspective and their particular values to it and heightening our awareness of these problems within our society.

BREAST FEEDING

Mr Reville: The Infant Feeding Action Coalition has several suggestions that I would like to deliver through you, Mr Speaker, to the Ministry of Health.

Studies in Canada and elsewhere continually confirm breast feeding's protective effect in reducing childhood infectious diseases. There is, of course, no question that breast milk is nutritionally and physiologically the correct food for infants.

That is why, in fact, the Infant Feeding Action Coalition would like the Ministry of Health to require that the World Health Organization code of marketing of breast milk substitutes be in effect in hospitals and other health and medical facilities; it would like to ensure that the Ministry of Health itself recognize that breast feeding is fundamental to the development of maternal and child health; it would like the Ministry of Health when it is surveying the population to include questions about infant feeding practices and attitudes to infant feeding in its surveys, and it would like the Ministry of Health as well to recognize lactation consultants as a health discipline and make them available across the province with public funding.

This seems to me to be an old idea whose time has come back.

CORPORATE TAX

Mr Sterling: Last Wednesday, I questioned the Minister of Industry, Trade and Technology (Mr Kwinter) on the negative effects of his government's corporate tax strategy on the competitiveness of Ontario's industrial base. The minister responded, and I quote, "I do not really feel that I have to sort of explain why certain companies are here or why they are somewhere else."

The timing of the minister's display of indifference was certainly ironic, given the events of the very next day, last Thursday, dubbed Black Thursday. It saw the loss of 2,100 jobs in Ontario's valuable manufacturing sectors. These layoffs bring the total number of jobs lost in Ontario to 13,000 this year.

Ontario has become a very expensive province in which to locate. While companies are quickly realizing this, the government is not. It continues to squeeze every last penny from our vital manufacturing sector with ill-conceived antibusiness tax policies.

The minister says he does not have to explain why companies locate here or elsewhere. Well, he does not have to. Members should just look at the government's new employer health levy and the commercial concentration tax. The government's corporate tax policies, unfortunately, speak for themselves.

LITERACY

Mr Carrothers: A recent article in the *Globe and Mail* pointed out that illiteracy is affecting approximately one third of all firms in Canada.

It was reported that about one third of companies are having problems introducing new technology because their employees are functionally illiterate. The same number reported that employees caused problems in product quality or in productivity, and about 40 per cent say that employees with basic skills shortages face difficulties taking on new assignments or transfers to new positions.

Even in the current economic climate this is a significant problem, especially as Ontario faces increased competition from Asia and Europe. It is difficult for us to compete when we may have up to seven per cent of our workforce illiterate.

In Ontario, a number of organizations are addressing this problem. One organization, the Halton and Peel Industrial Training and Advisory Committee, recently received a \$255,000 funding grant from the Ministry of Skills Development. This organization has assisted 30 to 40 businesses in the Halton area alone, providing literacy upgrading programs in the workplace. They provide an essential service in the fight to overcome illiteracy in Halton's business community.

It gives me great pleasure to recognize their accomplishments and wish them well as they start their second year of operation.

1340

AUTOMOBILE INSURANCE

Mr Kormos: The Liberal government's new auto insurance scheme, the one that is written by the auto insurance industry—the Liberals call it no-fault—what a scam; it is riddled with faults. The Liberals carry on with their flim-flammy, trying to sell this bill of goods to a desperate driving public. Will the Liberal scheme reduce

insurance rates? Not on your life. Premiums are going to continue to go up and up, and so are the insurance companies' profits.

Will this Liberal scheme create fairness for the driving public? Once again, no way. More and more drivers, including good drivers with good driving records, are going to be forced into the incredibly expensive Facility Association with rates that are two, three and four times those of the regular market.

This Liberal scam will guarantee that over 95 per cent of the innocent accident victims receive not a single nickel, not a dime, not a cent in compensation—nothing whatever—and that is shameful. This Liberal scam is going to guarantee profits such as the insurance industry has never dared dream of; a windfall in the first year alone of around \$650 million for insurance companies here in the province because of the legislation this Liberal government is trying to force through this Legislature. Once again, that is shameful.

But we know that a public, driver-owned, nonprofit insurance system can provide insurance affordably and fairly, as in Manitoba, Saskatchewan and British Columbia. If we are going to address the issues of affordability and fairness, it is time now that we start looking at the fair and affordable public, nonprofit, driver-owned systems that are already in existence.

THALIDOMIDE VICTIMS

Mr Sterling: I recently attended an awards ceremony honouring those who contributed to the enhancement of the disabled community in Ontario. Clifford Chadderton, a constituent of mine, was nominated for this award by the Thalidomide Victims Association of Canada. He has been a vocal advocate of thalidomide sufferers for many years.

Mr Chadderton's efforts have made me intensely aware of the injustices which exist for these victims as they attempt to seek compensation from the federal government for their disability. In 1963 the then Minister of National Health and Welfare, the Honourable J. Waldo Monteith, said, "It is our job to ensure that these victims are cared for in the best possible manner...and their needs are met to the fullest possible extent we can devise...."

Canada remains the only country in the world which has not yet compensated its thalidomide victims. Aside from the fact that the federal government approved the drug for distribution and waited a full three months after other nations withdrew the drug before taking action, if we

simply overlook these errors in judgement, then we should simply look to the facts.

We have over 100 individuals in Canada who, through no fault of their own, have had their lives irreversibly damaged. If not for legal or moral reasons, then simply for humanitarian purposes, these people must be allowed to live their lives to the best of their abilities and the federal government should help to make this happen.

SUDBURY RED CROSS

Mr Campbell: Recently I had the pleasure of presenting a plaque on behalf of the province commemorating the 75th anniversary of the Red Cross Society in Sudbury.

This milestone offers an excellent opportunity to reflect on the Sudbury Red Cross and the efforts of its well-trained staff and volunteers. The Sudbury branch not only serves the city of Sudbury but is also the northeastern Ontario regional office. Since 1914, when Sudbury was granted a Red Cross charter to raise funds for the First World War relief, the Sudbury branch has expanded its role considerably.

The Second World War marked the watershed in the development of the Sudbury Red Cross because it saw the creation of the blood transfusion program. Today Sudbury is one of 17 network centres across Canada responsible for the collection, processing and distribution of blood and blood products within its region.

The Red Cross in Sudbury also offers a wide range of services designed for the local community. These include seniors' home support, which provides older Sudbury area residents with home maintenance, family visits and the fun, fitness and transportation program.

I congratulate all the volunteers and staff who have helped make this organization a vital link in the local, northern, national and international communities.

I would ask my colleagues in the House to join me in extending congratulations to the Sudbury Red Cross on its anniversary and the wish for continued success in the future.

STATEMENT BY THE MINISTRY

CORRECTIONAL FACILITIES

ÉTABLISSEMENTS CORRECTIONNELS

Hon Mr Patten: Mr Speaker, I would like to make several announcements and update you and members of the Legislature on issues of importance related to the operations of the Ministry of Correctional Services.

During a time of heightened growth, especially over the past year, new demands have been placed on the total justice system, including the police, the courts and my ministry, demands that include increased prosecution of offences involving family violence, rapid growth in urban centres and increased apprehension of those involved with illicit drugs.

My ministry has also recognized dramatic changes in the profile of offenders being admitted to supervision. We are seeing, by and large, more multiproblem offenders, those suffering from combinations of learning disabilities, alcoholism, psychological problems, illiteracy, addiction and an inability to control anger.

I would like to review briefly the approach this government has taken to address these pressures.

First, the ministry is committed to a long-term corporate direction, with plans geared to provide a balance between the institutional and the community correction system.

This is consistent with the planned approach the government has taken since 1985. Since 1985 we have increased the budget for this ministry, reflecting a real growth—meaning deducting the inflationary factor—in excess of \$160 million in key program development initiatives such as treatment programs involving the development and expansion of secure treatment facilities in eastern Ontario, northern, southern and central Ontario; the establishment of community treatment initiatives and substantial increases in fee-for-service contracts with psychiatrists, psychologists, social workers and other treatment professionals; youth services for young offenders, involving the creation of programs and services in both the community and institution environments; upgrading our network of secure institutions to improve supervision and care of adult offenders; creation of a staff training and development centre in Hamilton, and a modern computerized information management system that will enhance the effectiveness of staff in performing their duties.

Over the period from 31 March 1985 to 31 March 1989, correctional staffing has increased in institutions by 33 per cent and in our probation services by 38 per cent.

Cependant, nous avons connu un surpeuplement dans certains de nos grands établissements urbains de détention préventive, en particulier dans la région du grand Toronto.

Nous prenons donc des mesures pour accroître la capacité des établissements et augmenter le nombre d'employés ; nous cherchons aussi conti-

nuellement à rehausser les services de traitement offerts aux contrevenants condamnés.

Recent demands, to which I have just referred, have made it necessary to accelerate some of our planned institutional initiatives. Therefore, I want to announce three specific initiatives today.

First, I am pleased to announce that the ministry will build a 272-bed remand unit for adult offenders awaiting trial, sentencing or other judicial proceedings. The unit will be built as an addition to the existing Maplehurst Correctional Centre in Milton.

In order to accelerate the construction, we will use a design-build method enabling each stage of construction to proceed with minimal delay, with an expected completion date in the winter of 1991-92.

This will help alleviate pressure in the high-growth areas of Peel, North Halton and Dufferin areas presently being served by the Metro Toronto West Detention Centre.

I am also pleased to announce the conversion of 68 beds at the Mimico Correctional Centre for use by remand inmates requiring accommodation in the Metropolitan Toronto area.

These beds, which are expected to be ready for occupancy this month, are in addition to the 68 beds which were converted for remand use earlier this year to help alleviate population pressures at the Toronto Jail.

1350

The operating budget on an annualized basis for the new detention unit at the Maplehurst site will be in excess of \$6 million. New staffing will include correctional officers, nurses, social workers, psychiatric and psychological services and chaplaincy. Major support services will be supplemented by the existing Maplehurst complex. This allocation is exclusive of the additional staff already provided to the Mimico Correctional Centre.

Dans certaines régions moins peuplées, nous avons également commencé à réouvrir les places qui avaient été fermées temporairement l'année dernière à la suite d'une sous-utilisation.

These new resources, a combination of 408 beds, interim and long-term additional staff and reopened beds will address issues of the greater urban complex. They will also help support the government's overall drug strategy.

Les députés se sont pas sans savoir que le ministère a entamé des pourparlers avec le syndicat des employés de la fonction publique de l'Ontario. En ce qui a trait aux clauses portant sur les salaires, les discussions en sont maintenant à

l'étape de l'arbitrage exécutoire ; nous espérons que la question se règlera sous peu.

In addition to wage concerns, job action, information pickets and questions relating to staff working conditions, occupational health and safety have also been raised by both parties. I am pleased to report to members substantial progress in discussions between this ministry and the Ontario Public Service Employees Union.

Therefore, I am announcing a third initiative: Where institutions have operated over capacity, we have agreed to supply additional staff over and above the complement, to manage those situations as long as capacity problems persist. As the hiring of the 90 additional staff, at approximately \$3.5 million, will take some time, an additional \$1.7 million in overtime salaries has been added this fiscal year to assist immediately in those institutions where capacity is a problem. We have also agreed to advertise immediately for 50 correctional officers currently vacant in the Toronto area.

In addition, the ministry and the union are committed to the full utilization of the ministry's employee relations committee structure, which involves both union and management personnel. Formal processes are in effect at both the local and the provincial levels. A number of issues of significant interest to both union and management have been identified, including recruitment strategies, methods of filling vacancies, shift scheduling and absenteeism, as well as a number of general issues.

I am also pleased to inform the Legislature that my ministry, together with OPSEU, will set up occupational health and safety committees in all of our 52 institutions, as well as on a ministry-wide basis, to enable management and union to work together to address health and safety issues in the workplace. Terms of reference for these committees will be worked out in the very near future.

Other discussions have and are taking place with the human resources secretariat in respect of retirement issues and with the Ministry of Labour and my ministry on a wide-ranging occupational set of health and safety concerns. Because of the complexity and the magnitude of correctional issues, we can expect that their resolution will take some time. I will report progress on these issues and any further developments to honourable members in a timely manner.

I am confident that with the renewed spirit of trust and co-operation, coupled with operational initiatives I have announced today, we will work together with the Ontario Public Service Em-

ployees Union to meet the challenges of the 1990s.

RESPONSES

CORRECTIONAL FACILITIES

Mr Farnan: I have some comments I would like to make on the statement today. The first and most hopeful comment is that the minister has indicated that he will listen to the front-line workers within the correctional system. This is a first. I am sure the workers in the system appreciate it, and I hope it continues.

The actions of this government, however, are reactive rather than proactive. It is only when the stench becomes so bad, only when the system is exposed, only when there is total breakdown within the system that we have a response from the government.

I can take the minister back through Hansard and the rosy picture that was painted of correctional systems by the member for Timiskaming (Mr Ramsay). It just was not the truth. We knew the system was rotten. If the statement in the House today has any value at all, it is this: It is a confession. It is a confession on the part of the government that all is not well; indeed, the system is very, very precarious.

The statement was not made today openly. The minister got up and matter of factly announced this program, but this statement was dragged out of the minister. It was not an open and free admission of the state of the correctional system. It was something that was dragged out of this government.

For years the system has been in a deplorable state. For years correctional officers and their representatives made petitions and presentations and delegations to this government, and nothing happened. There was constant questioning in this House on the state of the system by myself as the critic.

Let me say that the understaffing that exists in the correctional system, the overcrowding that exists, the tension, the anxiety, the fear, the stress under which our correctional officers work—this has been so blatantly obvious, but the bottom line was that it took a four-day work stoppage of correctional officers in order to bring some realization to this government. What we have here, I want to venture to add, is somewhat of a Band-Aid solution and certainly long overdue.

Health and safety committees—the minister stands up as though it is some kind of fantastic announcement. We are talking about one of the most volatile, hazardous and dangerous work

situations in the province of Ontario, and in 1989 the minister stands up and says: "Isn't it something? We're having a health and safety committee in the most dangerous work situation in the province of Ontario." It is about damn time, I say to the minister.

I want to suggest to the minister today that he is not recognizing the overall problem. We have a systemic problem that encompasses the whole criminal justice system. He will recognize, to some extent, that the drug sweeps and family violence are changing the pressure on our institutions. He did not mention in that remark the psychiatric patients who are crowding our institutions, sick people getting sicker. He did not mention the lack of literacy programs, and of course, if the police are simply going out and bringing in more people, if the courts are giving sentences and if the institutions cannot match the sentences, no matter how many jails we build, we are not going to have sufficient jails to look after the inmates that we have.

The average stay in a provincial prison is 77 days. If the average stay in a provincial were 70 days, there would be no overcrowding. Has the minister ever thought of the fact that perhaps instead of looking at incarceration and warehousing, we might instead look at rehabilitation and at a seven-day difference in the length of stay within an institution?

Has the minister examined the possibility of fine-option programs? A large number of people in our correctional institutions today are there because they do not pay a fine. In Alberta, there are very excellent fine-option programs, community service programs. In Ontario, we have two small examples of this, and this minister is talking about building jails when he should, in fact, be expanding the fine-option programs and community service programs.

My greatest regret about this statement is its lack of vision. It is a lack of vision, and basically I am looking forward to the New Democratic Party task force in the new year when we examine the system in more depth and expose it for what it is. Certainly a lot needs to be done. The minister has applied a Band-Aid.

Mr Cousens: The Minister of Correctional Services has made a good announcement today. We have not heard very much from his ministry since the strike that took place. It was four unhappy days that brought to a focus a lot of the problems that are endemic to the system. I think what we are seeing happen is that someone has put together a presentation for the minister to give today.

Certainly the strike has taken a while to develop; it is going to take a long time to solve those—

1400

Interjections.

Mr Cousens: We know it was not the minister. We know it came from another office of the government. The fact of the matter is we have to be very concerned in our province about those people who are under the care of this government, and especially those who are in corrections. I think there is a real need for us to remember that there is a serious problem of overcrowding and there is a serious problem in the relations between the Ontario Public Service Employees Union and the government.

I think combining those two critical problems really leaves us with a powder keg. We saw it start to smoke not too long ago, and what we are seeing the minister now come forward with are a few suggestions that will go at least a small way in helping to solve those concerns.

I am surprised that in the minister's statement there is no mention of what he is doing with regard to serving the people within the system. We have a problem. We are going to see it tonight. Maybe the minister should take some time to watch the CBC special on the women's penitentiary in Kingston. I know the numbers are different for women than they are for men, but there is a serious problem within that system for women. Is the problem not somewhat, as well, in Ontario?

I challenge the minister, through the Speaker, to come forward and show us what he is doing to make sure that all people within that system are being treated carefully with equity and with fairness. I am not just talking about the inmates, the people who are being served by the system, but I happen to know from firsthand experience from situations that come to me through my riding that it is not a happy system that he is running. He is never going to have a perfect one, but the fact is, I think he is sidestepping a sense of responsibility on what should be done.

It also has to do with the way the minister is treating his own staff. Are people being given a chance to move up within the system, to have a chance to improve and develop themselves, as they should, through education and through programs that allow them to move forward and develop? That too should be an important part of a system that is looking at people.

We have a system that is full of pressures and today it is good to see relief in some of those areas. I would be very pleased if this minister

could look back at some of the other announcements that he has made and not followed through on. We are talking about a system that is over capacity. It is a system that has the potential of being a good one, but we have to take this far more seriously so that the people who are in our institutions will have a chance of getting out and living their lives back in the community in a fruitful and full way so that their lives are not just scarred for ever by being in a system that is so overcrowded and so undernourished by this government.

It is a serious situation. I am pleased and happy that the Minister of Correctional Services has made a statement today. I hope that these promises he has made will be followed through and that in fact we will see that they are fulfilled. We just cannot take for granted the needs of those people who are in our correctional system and who are under parole who need this care. They are important people of our society and it is to our benefit that we bring them back into society to live full and good lives again.

The minister, as a minister, and his ministry should be giving this as high a priority as possible. Unfortunately, the minister does not get the support from the government, through the Treasurer (Mr R. F. Nixon) and the Management Board of Cabinet, for the moneys he needs to do it. It takes a strike to get his attention. Unfortunately, that seems to be the only way in which anyone can get attention from this government. We have to hit them over the head before they do anything.

The Speaker: There have been quite a number of private conversations taking place. It has been somewhat difficult to concentrate, but I am sure that many of those conversations can wait for a little while.

TABLING OF INFORMATION

Mr Harris: On a point of order, Mr Speaker: I rise on a point of order under standing order 95, which deals with written questions. You will recall that every so often we on this side of this House must remind the government of its duty to reply to questions in Orders and Notices. This government has been in office for several years now, and every session we have to remind it of its duty to respond to the written questions on the order paper. Since their first session on that side of the House, the Liberals have been tardy in responding to order paper questions consistently, session after session.

For the first year or two, we brought this to the attention of the House and we assumed and put it

down to basic incompetence. However, if you look at today's Orders and Notices, Mr Speaker, you will see literally dozens of questions unanswered. Questions 208 to 240 were placed on the order paper back in July, five months ago. The government itself indicated it would respond to these questions on or about 16 October. That was a month and a half ago. Questions 265 to 267 were addressed to the Minister of Health (Mrs Caplan) on 10 July. Five months later we are still waiting for a response. We know how partial the minister is to waiting lists as a form of public policy in the health care system. It is unfortunate and it is regrettable, but we are expecting it from this government. We can no longer assume that this is basic incompetence. It must be a systematic policy on the part of the government.

Mr Speaker, still on the point of order under standing order 95, I draw to your attention specifically another series of questions placed on 6 November. These questions were also addressed to the Minister of Health. Her policy of creating waiting lists continues. Today's order paper does not indicate whether order paper questions 326 to 335 have even received an interim response. I would take from this that they are in complete violation on 326 to 335 of standing order 95(d).

My point of order is this: The government is in violation of standing order 95 and appears to have a systematic policy of not being open and forthright in responding to legitimate public policy questions. We on this side of the House—

The Speaker: Thank you.

Mr Harris: —regard the Liberal policy of creating waiting lists for health care services—

The Speaker: Thank you. Order, order. You placed your point of order very well and very extensively. The government House leader may have a comment on that.

Hon Mr Ward: Very briefly, I note that the order paper questions the member refers to all have been provided to members of the opposition, at least in terms of interim answers. I suggest that the member doublecheck his data.

The Speaker: Order, order. There was a fairly lengthy point of order and a not-so-lengthy response. However, it seems to boil down that there is difficulty with one or two of the questions still on the order paper. I am sure the government House leader will look at the point of order very carefully.

ORAL QUESTIONS

EMPLOYMENT ADJUSTMENT

Mr B. Rae: One company executive has referred to last Thursday as black Thursday

because of the announcement of some 2,100 layoffs in the province: 900 jobs gone when Ford Canada closes its engine plant in Windsor, 800 layoffs as a result of the merger of Canadian Airlines and Wardair, up to 240 out of work due to the closing of a glass plant in Mississauga and 150 jobs gone in Niagara Falls because Gerber's is closing its plant and moving it to the United States.

These changes are coming fast and sure. They are causing great concern to working people across the province. I wonder if the Premier can tell us, why has the government announced no new programs to deal with these dramatic changes since its election in 1987?

Hon Mr Peterson: I think the minister can help out my honourable friend.

The Speaker: Referred to the Minister of Industry, Trade and Technology.

Hon Mr Kwinter: We, as a government, are very concerned with the announcements being made on plant closures and layoffs, and I should tell the member that these are a result of a series of events. One is the global economy. Free trade, undoubtedly, has created some of the problems. Also, we have a situation where the federal government has not responded adequately. They have done nothing on the Dupré recommendations and they have done nothing on adjustment programs. We had predicted that these things would happen and we are doing what we can through various government programs to ease that particular hardship.

Mr B. Rae: "This is exactly as we predicted." The minister is simply passing the buck. We look at the field of pensions, we look at the field of severance, we look at the field of employment standards, we look at the field of training—all those areas are within the province's jurisdiction; they are within the jurisdiction of the province of Ontario. The minister turns around and says to Ottawa that it has not introduced any new adjustment programs. I say to the minister neither has he, neither has the Liberal government of Ontario.

1410

We have seen in Ontario, the manufacturing centre of Canada, that because of all the changes which he has described—some of them because of free trade, some of them because of interest rates, some of them because of the changes that are happening all around us—there is going to be major change in Ontario. Why is there no provincial strategy in Ontario to deal with that change as it affects working families?

Hon Mr Kwinter: I do not agree with the Leader of the Opposition that there is no plan. We have the program for older worker adjustment. We have other programs that are in place.

Mr B. Rae: That's not your plan.

Hon Mr Kwinter: No, but they are there.

The Premier's Council is bringing out a major report to deal with the whole idea of human resources. But to put it in its proper context, I think that members would want to know that in October of this year the unemployment rate in Ontario was 4.9 per cent, the lowest in Canada, and I think members will want to know that in October employment grew in Ontario by 14,000 after an increase of 8,000 in September. In a 10-month period to date employment in Ontario has grown by 86,000 over the same period last year.

Mr B. Rae: Now the minister really does sound like Brian Mulroney. Now all the minister is doing is taking credit for the jobs that are created. I want to remind the minister that a job loss of 1,200 in Windsor is the equivalent to 12,000 jobs being lost in one day in Metropolitan Toronto. That is the severity of the job losses we are talking about.

I think we are entitled to ask, what is the minister doing on pensions and early retirement, what is he doing on training, what is he doing on adjustment, what is he doing on employment standards and severance? These are all the areas where this government has jurisdiction and responsibility.

The Speaker: What is your question?

Mr B. Rae: Why has the minister moved in none of these areas to assist the workers who have been devastated by these changes? Why not?

Hon Mr Kwinter: Again, I have to disagree with the Leader of the Opposition. We are moving in all of those areas. In every one of those areas we are bringing forward changes to the legislation. I should also mention, and again I do not want to defend the industries that are laying these workers off, but I can tell the member that the announcements are being made in a timely fashion so that some of those adjustments that are going to be taking place will be absorbed and lessened through attrition. We are working closely with the Ministry of Labour and with the companies to lessen that impact on those communities.

Mr B. Rae: It is always nice to hear the minister say that the announcements about somebody getting fired are timely.

The Speaker: Is the question to the same minister?

HOSPITAL SERVICES

Mr B. Rae: My question again is to the Premier. I am sure the Premier has been following the news of the inquest around the death of Stella Lacroix. Just last week, one of the witnesses at the inquiry told the inquiry—and I am quoting from what she said—referring to the Premier and the Minister of Health, “We felt they had less-than-accurate information.” This is Vicki Kaminski, who is a member of a Ministry of Health working group. “Statements from Peterson and Caplan ‘made it sound like there was a provincial hotline that was widely known. Our concern was that there was no such number.’”

I would like to ask the Premier, in light of the statements that he has made in this House about a system being in place but that the system was not used, something which he has said time and again here and outside, is he finally ready, now that this evidence has come before the inquest, to apologize to Dr Nesdoly and to apologize to all those people who were so badly hurt by the Premier’s truly ignorant remarks that he made at the time of Stella Lacroix’s death.

Hon Mr Peterson: I think that the minister can help out the honourable member.

The Speaker: It has been referred to the Minister of Health.

Hon Mrs Caplan: I would like to say to the Leader of the Opposition that the inquest is ongoing and has not yet concluded; that is the forum where all the facts come out. But he should know that the Toronto Hospital, whose letter was presented to this House in good faith, stands by the contents of that letter as being accurate.

Mr B. Rae: I say to the minister that this defence of hers is truly indefensible. The statement that has been made by her own civil servant clearly contradicts the information that was presented by the Premier to this House, and even at this date he is not prepared to admit that he was wrong.

I wonder how the minister reacts to the statements made by Dr Stone, for example, from Toronto Western Hospital saying that there is no problem with beds, the problem is nurses and that the critical problem at that hospital at the time of Dr Nesdoly’s tragic search was not that there were no beds available—he said there were beds available—but that there were no nurses, there were no staff to handle Ms Lacroix. I would like

to ask how the minister feels about that harsh reality finally coming home to her at the inquest?

Hon Mrs Caplan: I want the member opposite to know that our position all along has been that all the facts must come out. When he is looking at the facts it is important to note that since 1986 there has been a 26.3 per cent increase in the number of critical care nurses working full-time in Ontario. For Toronto alone that increase has been 16.7 per cent. When the member refers to vacancy rates, it is also very important to look at the enhancement of services and the number of new jobs that have been created for nurses here in Toronto and across the province.

I have always said how important it is to have accurate information in this House. I will say to him that we have always referred to the system that was in place at the Toronto General Hospital and the system that was in place at other hospitals across this province. When we refer to nursing vacancies we also must refer to the new positions that have been created for nurses as we attempt to enhance the services so that—

The Speaker: Thank you.

Hon Mrs Caplan: —the people of this province will have appropriate health care delivery as close to home as possible.

Mr B. Rae: I do not think that this minister understands what is going on. Dr Cooper, who was in charge of the intensive care unit at the Toronto Western Hospital on 10 October, “agreed his department was working at peak capacity that night.” I am quoting from the *Globe and Mail*. Dr Cooper said: “Yes, there were beds. There were empty beds. But there were no nurses to look after those beds.”

I must confess that when I want to know about what the situation is in a hospital I would rather hear from Dr Cooper than from the Minister of Health because I think he is more accurate in what he is telling us. He is telling us that there are beds that are there that are available, but there are not the staff to provide the beds with that kind of care. I think that is the most troublesome statement that has come out of this inquest.

The Speaker: And the question?

Mr B. Rae: How does the minister feel about what Dr Cooper just said?

Hon Mrs Caplan: I want to say to the leader that in fact I am looking forward to the recommendations of the coroner’s inquest into this very difficult and troubling matter. I want him to know as well that we are working with the hospitals across this province to ensure that the

services that they deliver are appropriate to meet the needs.

I want him to know as well that I understand the issues facing nursing in this province. I believe the initiatives that we have undertaken to improve the quality of work life for nurses, and also to acknowledge the changing technologies and the role that nurses play by giving them greater say in hospital decision-making, are important and significant steps.

Is it perfect in Ontario? Of course not. Can we do better tomorrow? Of course we can. We are always trying to make sure that we do a little bit better tomorrow than we did yesterday and we look forward to recommendations from the experts across this province to give us their very best advice on how we can do that.

LANDFILL SITES

Mr Brandt: My question is for the Premier. The municipalities in the greater Toronto area are presently preparing submissions to the province with respect to alternative landfill sites that are being considered at the present moment. I think I should address this question to the Premier in the absence of the Minister of the Environment and also because it is a government decision which will involve far more than just the Minister of the Environment.

There are two conditions that I feel are absolutely essential to any approval that the government of Ontario might provide to the GTA municipalities on the alternatives that they are considering. One is that the Rouge lands not be used as a landfill site and the second is that any proposed landfill site undergo a full and thorough environmental assessment as part of the requirements. Will the Premier commit his government to those two reasonable conditions?

Hon Mr Peterson: I am sure the member will be pleased to see that the Minister of the Environment has just arrived.

The Speaker: It has been referred to the Minister of the Environment.

1420

Hon Mr Bradley: I think I heard the question.

Mr Brandt: I will repeat it.

Hon Mr Bradley: No doubt the member will. I think I heard the question. The member would know at the present time that Metropolitan Toronto and other municipalities, particularly those within the GTA, are attempting within their own councils to determine which would be the most appropriate way to deal with their particular disposal problems and indeed with waste man-

agement overall, because it involves both management in terms of diverting waste from any potential disposal method and the ultimate disposal method as well.

I can indicate to the member that the government will be very interested in seeing, first of all, what proposals would come forward. My understanding is that there have not been final decisions made. I think the member made reference to Metropolitan Toronto. There is a works committee report, but there has been no final decision made by Metropolitan Toronto.

The member would know that whatever site or facility is ultimately chosen would go through a very rigorous regime whereby they would look carefully at all the environmental implications. I know the Environmental Assessment Board would not want to approve—

The Speaker: Thank you.

Mr Brandt: The minister uses a very interesting word when he talks about a comprehensive regime, which I think is what the minister said. I am looking for a response to two reasonable conditions which I think the government should set forth as a clear signal to the member communities of the GTA, to indicate to them that it is unacceptable to the government that the Rouge be considered as a site for any potential landfill and, second, that they understand well in advance that they are going to have to go through a rigorous and thorough environmental assessment rather than some regime that may be proposed by the minister as an alternative. Will the minister commit, on behalf of the government of Ontario, to those two very reasonable conditions?

Hon Mr Bradley: It is amazing how reasonable the former Minister of the Environment is now that he is not the Minister of the Environment. I can recall my friend chastising this government because there were not rapid enough approvals taking place in various areas, but we will leave that behind. That was another day.

I do want to indicate to him, of course, that there will be a hearing before the Environmental Assessment Board. The member is aware of that. No site, I am sure, would be approved by the Environmental Assessment Board that does not meet the criteria of the province of Ontario. It must be a safe environmental site no matter where it is, anywhere in the province of Ontario, or the board would not approve it.

Also, he would recognize that in fact there is an opportunity for each of the government departments to comment on any of the proposals that come forward and any of the commenting

agencies so that they can assist the board in making that decision, by providing hydrogeological comments, for instance, on the implications for any of the surrounding areas, and I think they will do that.

I would hate to get in a situation where this Legislature is dictating at this very moment what the final decision of Metropolitan Toronto might be. No matter what the decision is, it would be—

The Speaker: Thank you.

Mr Brandt: Let me say to the minister that he is being very unclear. I think he is intentionally attempting to confuse the issue when one asks him for a direct response in regard to the environmental assessment being an absolute requirement.

I am sure the minister would realize that the citizens of Pickering, Whitevale and other areas want to have a say in what happens in their respective communities. I am sure the minister recognizes that the environmental assessment process is there for that very reason, in order to allow for ample, thorough, complete—exhaustive in some instances—citizen input. I am sure the minister will recall as well, when he was across the floor, how determined he was to see that every single approval of any kind, of whatever magnitude, went through the environmental assessment process.

Hon Mr Bradley: I wasn't the critic.

The Speaker: Is that your question?

Mr Brandt: Will the minister give that commitment to the communities that are concerned now that they may not be given the opportunity to go through a full and thorough environmental assessment?

Hon Mr Bradley: The former minister, now the leader of the third party, would know that the citizens will have an opportunity to make a case before a mandatory hearing which will be held before the Environmental Assessment Board. They will be able to mobilize all of their resources to indicate whether they are in opposition or in favour of it.

I would suspect that no matter what site is selected by whatever municipality anywhere in Ontario, the leader of the third party or his friends will be opposed to that site. We recognize that. I remember my days in opposition, but he should remember that I was not the Environment critic, which he gives me the credit for.

There will be a very rigorous process. The member knows that. The Environmental Protection Act takes into consideration everything associated with that specific site, and whatever

site happens to be selected will be evaluated very carefully. I have faith in the Environmental Assessment Board, that it will hear all the evidence impartially and will hear citizens who are opposed. Those citizens, thanks to the Attorney General (Mr Scott) and others in this government, will have intervenor funding to make their specific case—

The Speaker: Thank you.

Hon Mr Bradley: —and I think that the ultimate decision will be a wise one on the part of the board.

The Speaker: New question.

Mr Brandt: I hope that is clear in the minds of the people of Ontario, because I understand the process. The minister understands the process, but he cannot answer directly as to whether or not he is—

The Speaker: Were you asking the same minister?

Mr Brandt: I have another question that I want to address to the Minister of Health.

The Speaker: Oh, I see. Fine.

HEALTH INSURANCE

Mr Brandt: I would like to ask the minister if she can advise this house if individuals who refuse to pay their final OHIP premiums to cover the period from January to April of 1990 will be covered for any health expenses that they may incur during that particular time period beginning 1 January 1990. Could the minister advise the House, please?

Hon Mrs Caplan: I want to assure the member opposite and all members of this House that it is the policy of this government that during the transitional period, as we move from premiums to the employer health levy and funding for health services from consolidated revenue, all residents of Ontario will be covered for the health services that they receive.

Mr Brandt: I want the minister to know that my office is receiving complaints with respect to direction being given by her ministry indicating that those individuals who are not prepared to pay for January, February, March and April will in fact not be receiving health care, if required, from the province of Ontario. That is the message. I have confirmed that through my own research department, which has called to see whether that is the message that her people are getting out.

I want to advise the minister that the payment period—January, February, March and April, the first four months of 1990—is already covered

under the new employer health levy and that this is a double billing. Why is it that her ministry is telling individuals that they will not be covered, and is she prepared to indicate—

The Speaker: Thank you.

Mr Brandt: —to this House that she will advise her ministry staff to cease and desist from that kind of message?

Hon Mrs Caplan: I would ask the leader of the third party to listen very carefully to what I said. I know that there is some confusion among the people of this province. I want them to know that through this transitional period of time, where there is some confusion, we will be doing everything we can to clarify for people the coverage they have under the health insurance division from the government of Ontario Ministry of Health. Everyone in this province will be appropriately covered to receive the services that they need in the province of Ontario.

Mr Brandt: If people refuse to pay for January through April of 1990, is the minister saying that they will get complete and total coverage through the health system of Ontario?

Hon Mrs Caplan: I want to assure the leader of the third party that we will do everything we can to make sure the people receive accurate information on how to appropriately respond. We want them to know that they will be fully covered through the transitional period and that no one resident in Ontario will be denied access to health services.

1430

EMPLOYMENT ADJUSTMENT

Mr D. S. Cooke: I would like to go back to the issue of plant closures and layoffs. In addition to the 900 jobs that were—

The Speaker: To which minister?

Mr D. S. Cooke: To the Premier. In addition to the 900 jobs that were lost, unannounced, last week by Ford Motor Co, there was also an announcement of a plant closure at Reflex, another 80 jobs lost, and 162 jobs as of January of this year at Kelsey-Hayes. In one or two days 1,142 jobs were lost in the city of Windsor, and that is the equivalent of at least 12,000 to 15,000 in Toronto.

If that kind of catastrophe occurred in this region of the province, the Premier would have at the very minimum today given a statement as to what action the government was going to take to try to help out a community in such dire straits. I would like to ask the Premier exactly what the plans of his government are, considering the fact

that Windsor already has about 10 per cent unemployment and another 1,200 jobs are going to be lost. What are his plans to come to rescue that community?

The Speaker: Thank you. You have asked that before.

Hon Mr Peterson: I think the minister can help out the honourable member.

The Speaker: Referred to the Minister of Industry, Trade and Technology.

Hon Mr Kwinter: In my previous response, and again I do not want to make light of what is happening in Windsor and other communities, but we have a situation where those companies have come forward and announced that at the end of the 1990 model year those jobs will no longer be in place. They are making every effort to adjust. A lot of those jobs are going to be taken care of through attrition, and we are working through the Ministry of Labour with the various companies in the automotive sector to see what we can do to replace those jobs in Windsor.

I can tell the honourable member, and I do not want to make light of the fact that a man who understands that his job is coming to an end is under severe pressure, we do have programs to help him. We are also working with those people to try to get some additional employment into the Windsor area. As the honourable member knows, the automotive industry is a cyclical business. This has happened before and we have been able to make some adjustments. We will continue to make those adjustments.

Mr D. S. Cooke: The minister makes a comment that the auto industry has a cyclical nature to it. I understand that. I was in that community in the early 1980s when we had 20 per cent and 25 per cent unemployment.

It is up to this government to show some leadership so that we do not go through that depression again, and that is exactly where we are heading. We have never fully recovered. We have had 10 per cent unemployment while Toronto prospers, and all we have got from those guys are comments that southern Ontario is prospering and there is no need to help.

One thing the minister could do—that is why I asked the question to the Premier but he fluffed it off—is look at decentralization of some of the provincial government jobs to help communities like Windsor, one-industry cities, diversify. I would like to ask the minister, and perhaps he would refer it back to the Premier, whether he would be willing to consider seriously the decentralization of some of the provincial jobs

into Windsor and stop making the kind of comment the Premier made last week to our local reporter that: "Windsor is just like Wingham. They want provincial jobs too."

The Speaker: The question has been asked.

Hon Mr Kwinter: I do not think this government has to apologize for the efforts that we have taken on behalf of decentralizing Ontario.

Mr D. S. Cooke: You have done nothing in communities like Windsor.

Hon Mr Kwinter: Let me tell the honourable member that we have diversified in eastern Ontario and western Ontario. We are going to be working with that community. We are working with the various industries that thrive in that community in the automotive area and we will see what we can do to replace those jobs.

I want the member to know that we met with the Ford Motor Co. They told us about their plans. I am sure he knows that that particular plant has been around since the 1920s. It is a plant that has been up and down, that has been living on borrowed time, and its time has come. There is nothing we can do about that, but we are going to work to see what we can do to get some new industry into that community.

Interjections.

The Speaker: Order. There are other members who would like to ask questions, but if you do not want them to, that is fine. New question, the member for London North.

RETAIL STORE HOURS

Mrs Cunningham: My question is for the Premier. I am sure the Premier is aware that this weekend there were a number of stores open again on Sunday in direct contravention of this new act. The one that was most widely publicized was the electronics retailer who advised us that he was opening because other electronic retailer stores were opening. In spite of the numerous charges being laid by the municipalities that are doing their very best to enforce this law, the legislation appears to have no effect on the violators at all.

I ask the Premier at this time if he will direct the Attorney General (Mr Scott) to accept his responsibility and do something about this breakage of laws in the province of Ontario.

Hon Mr Peterson: I say to my honourable friend, there are laws in this province in many areas and some people choose to break the laws. In my view, that is totally and thoroughly

unacceptable and they will be prosecuted as anyone else is who breaks the law.

Mrs Cunningham: The Premier surely ought to know that we fought long and hard against this legislation because we did not think it could in fact be administered. But his Solicitor General at the time advised us quite frankly that the law is fair because it removes loopholes and increases penalties. In this way we will ensure that Sunday shopping is not forced upon communities that do not want it because some retailers intentionally flout the law.

They are flouting the law. The Premier made it really, really clear during the hearings and during the publication of this legislation that he had the clout, and he does. The Attorney General in fact can close those stores. They have been trying to get the fines up. It is not working. The next step was the one he sold this legislation on. He can close those stores. Why does he not tell the Attorney General to do it?

Hon Mr Peterson: I can tell my honourable friend that people who break the law will be prosecuted. It is that simple. I cannot justify people deliberately flouting the law any more than she can. Obviously, the full weight of the law will be used where it is appropriate.

CHRONIC CARE

Mr Dietsch: My question is for the Minister of Health. She will know that personnel from her ministry toured the St Catharines General Hospital on 6 November and that on 24 November a group of concerned citizens presented me with a petition containing 5,138 signatures which I have laid on her desk.

Those signatures represent people who are deeply frustrated about the poor physical conditions of the chronic care at the St Catharines General Hospital. I quite frankly support the chronic care and emergency projects that are in the works at the St Catharines General Hospital.

Could the minister please indicate what will be done to improve conditions which our chronically ill patients must endure while they wait for the promised solutions to the poor physical conditions of the St Catharines General Hospital?

Hon Mrs Caplan: I want to thank the member for St Catharines-Brock for his question and acknowledge both his concern and his interest. I understand that ministry officials have recently been at the hospital and are very aware of the situation, and I want to assure him that the ministry is reviewing alternative situations and alternative solutions.

As the member knows, we have undertaken long-term care reform with the Ministry of Community and Social Services and we want to ensure, as a part of this, that we are reviewing alternatives to institutionalization for seniors, to make sure that appropriate care is provided in the appropriate location. That does not minimize the need to look at maintaining the buildings appropriately, and for that we are using a good deal of common sense in the approach that we are taking.

Mr Dietsch: The expectations have been high since the first announcement in 1985 and again the government announcement on this project in 1987. The community has done its part in raising its funds and would like a clear indication as to when this very serious situation will be given the attention that it deserves.

Hon Mrs Caplan: I understand that the ministry staff will be meeting with the Niagara District Health Council and the Shaver Hospital for Chest Diseases early in the new year. We are, as I said, taking a commonsense approach to existing buildings. I believe that maintenance of facilities must be a priority and I want to say to the member very, very clearly that whatever must be done will be done, to ensure that the people of this province who are in our institutions have the kind of services they require to meet their needs.

1440

LANDFILL SITES

Mrs Grier: My question is for the Minister of the Environment. I have to say that his semantic squirmings in the face of the questions from the leader of the third party earlier were very disappointing to those of us who had expected better from this minister.

The minister, I am sure, will recall that in the early 1970s there were a number of landfill sites across the province that were proving to be disastrous environmental problems. As a result, the government of the day was forced by the opposition parties to bring in the Environmental Assessment Act and to subject all municipal landfills to the requirements of that act.

Can the minister explain why now, 15 years later, as we enter the last decade of the century, he is leading us backwards, away from the Environmental Assessment Act and putting landfill approvals under the Environmental Protection Act? Is that the kind of government we are to expect in the future from this minister?

Hon Mr Bradley: The member will well recognize that the number of facilities which now

go under the Environmental Assessment Act, particularly on a long-term basis, is far greater than was ever the case before, and there are so many cases across the province of Ontario where long-term solutions are in fact doing so.

The member will also know, because she is very familiar with the Environmental Protection Act as well, that each individual site that is looked at under an Environmental Protection Act hearing for instance, looks at the hydrogeology of that particular site, looks at all of the environmental impacts of that particular site, and I am sure that the board, when it rejects or accepts any particular site after a very exhaustive hearing is held, will take into consideration all of those environmental factors. In fact, the long-term solutions to the area she mentions, the greater Toronto area, will be subject, as there is plenty of time to do so, to the Environmental Assessment Act, and the board will look at a variety of alternatives.

The member will know as well that we in the provincial government are strongly pursuing diversion of much of the waste, 25 per cent by the year 1992 and 50 per cent by the year 2000, which would normally go into either a landfill site or an incinerator. I want to assure the member there will be an Environmental Assessment Board hearing, there will be intervenor funding for any who would oppose any—

The Speaker: Thank you.

Mrs Grier: I did not ask the minister about the long-term plans. I was asking about the contingency sites which are going to be in use for five, six, seven years, maybe longer, and which in themselves are going to cause environmental problems and are not going to be subject to any hearings that would require the proponents to look at alternatives. Further, we now understand that Metropolitan Toronto is looking at sites beyond the GTA. They are looking at sites in Marmora and Lake townships, in Plympton township and in Orillia.

Is the minister going to let sites that are beyond the GTA be exempt from the Environmental Assessment Act and is he going to in effect establish a double standard in this province whereby a site that a municipality is looking at for its own use is going to be subject to an environmental assessment and a site that may be being looked at in that municipality by Metro Toronto is only subject to the EPA? Is that what he is going to do for Metro Toronto?

Hon Mr Bradley: The member will know that we have two categories: the interim sites which are for a relatively short period of time and the

long-term sites which are for a longer period of time. The member will know that we are in a situation in the greater Toronto area where the regional chairmen have got together, the regional councils have got together to make these decisions. People like our friend Richard Gilbert—and I know the member is very familiar with Mr Gilbert—have talked about the GTA, in fact was one of the people who suggested the GTA to solve the problem.

The member must recognize that when the GTA makes its decisions on interim sites, it is not necessarily going to choose every site. They are going to select what they believe to be best site that would go to a hearing. The hearing board can reject it, based on all of the environmental considerations that are placed before the hearing board. They can in fact reject, accept with conditions or accept entirely. The hearing board will have that appropriate authority. They will be looking at any site that is put forward by the GTA or any other site that is put forward and will be making a decision based on all the environmental considerations.

CHILDREN'S MENTAL HEALTH SERVICES

Mr Cousens: I have a question for the Minister of Community and Social Services. People in Ontario would be surprised to know how many children there are on waiting lists across Ontario for mental health treatment, for children's mental health centres.

Last year there were 6,000 on waiting lists, and that is over three times the number that were on waiting lists back in 1984. Many centres are now reporting that they do not even keep a list of those who are to go on the waiting list because they just know there is not that much hope of getting them on that list. It could be an estimate of another 4,000 on top of the 6,000 who were already on lists who are waiting to be served.

I would like to ask the minister a question that would bring it closer to home. Could he tell us how many children are on waiting lists for children's mental health centres in York region?

Hon Mr Beer: The honourable member raises an issue that we are very concerned about and have been discussing with the Ontario Association of Children's Mental Health Centres. Indeed one of the things we are doing with them is trying to determine exactly how many people are on waiting lists.

As the honourable member is perhaps aware, sometimes, quite understandably, parents will place their child's name on a number of lists, and

we both recognize that we have some problem in recognizing the exact number, although even if there are only a few more, we want to make sure that we can deal with those young people.

In terms of the specific numbers that are being discussed for York region, I do not have that figure with me.

Mr Cousens: I have. There are 90 children on waiting lists for Blue Hills Academy, 27 at Kinark and 34 in the York Centre for Children, Youth and Families. There we have 151 on waiting lists, and the chance of the minister saying it is plus or minus a large number because they are on duplicate lists—those are good numbers and reflect a very serious state of affairs in York region and also in other high-growth areas in the province.

It is a sorry state of affairs for those children who are on waiting lists for an extended period of time. As long as they are on waiting lists and waiting, they too are suffering. Children who are not cared for are going to be the problems of the rest of society later on. What specifically will the minister be doing to reduce the waiting lists in those three institutions I just mentioned and Kerry's Place in York region? Can he tell us what he will do specifically to solve their problem of large and growing waiting lists?

Hon Mr Beer: I rather suspected that the honourable member had some figures, and I think what I would say to him with respect to those who are in our home area is the same as we are going to do for those who are on lists in all parts of the province, because this is not a problem that is unique only to York region, nor indeed just to fast-growth areas.

As I mentioned before, we are working with the Ontario Association of Children's Mental Health Centres and looking at a number of initiatives that we can take which will have an impact in cutting down the waiting lists. I would hope that through that work and early into the new year, as we look at a number of things that include funding as well as other elements of their program and how to deliver and manage the system, that we can begin to make a real impact on that area. I think we have to recognize that this is an area where we are under a great deal of pressure throughout the province, but particularly in fast-growth areas.

CORRECTIONAL FACILITIES

Mr Elliot: My question is to the Minister of Correctional Services. I appreciated the statement he made today. Due to certain media reports last week, several of my constituents

have expressed a concern relative to that statement. They are fearful that Metropolitan Toronto's problems are being transferred to Milton. Is this in fact the case? Is the minister dumping Metro Toronto's problems on Milton?

Hon Mr Patten: I would like to thank the member for Halton North for his question. I know he has a concern related to his community, because the Maplehurst Correctional Centre is in his riding. But I would like to say to the member categorically that indeed the reverse is true: It is the Metropolitan Toronto West Detention Centre that has been handling all the remands from the growth area and the very purpose of the extension at this particular time is to provide an opportunity for people from the areas of Peel and North Halton and Dufferin who are awaiting their day in court to be closer to home. It is as a result of that growth area that this is taking place. Secondly, of course, it does help the rest of the whole system in relieving some of the pressure.

1450

Mr Elliot: The Maplehurst Correctional Centre has a long history of being a good neighbour. Those of us who visit institutions like Maplehurst on a regular basis know of most worthwhile volunteer initiatives, insightful recycling thrusts instigated in part by inmates and other good things that are happening now. Are these desirable initiatives in jeopardy because of today's announcement?

Hon Mr Patten: No, I would say categorically to the member that my expectation is that these good relations will be enhanced, that the good work of the volunteers and the voluntary organizations and the relationships in the community will continue to take place, indeed at a higher rate.

I have looked at some of the programs and have been impressed not only by the volunteers in the community who have participated with a number of the people under our supervision, but also by a number of the projects that the inmates themselves have had in the community such as snow removal or the natural resource works program of inmates who participated in the harvesting of trees and forest cleanup in the area. I suspect that will take place.

I would also add that in the area of treatment—I hope my good friend, the member for Cambridge (Mr Farnan) is listening at the moment—and in the area of literacy that he had identified, we have a very strong voluntary program related to literacy in that institution, as we do in many others throughout the province.

POLICE SHOOTING

Mr Kormos: I have a question for the Attorney General. I am concerned. We have just learned that Cameron Durham, the police officer involved in the shooting of young Sophia Cook, has been charged and indeed he was charged with the careless use of a firearm.

This young lady is paralysed from the waist down as a result of being shot. That paralysis is likely to stay with her for the rest of her life and the charge that is laid is the most trivial of all firearms offences in the Criminal Code. Indeed, it could be proceeded with summarily. Even if it is proceeded with by indictment, the maximum penalty is but two years. What a gross injustice to the victim and members of the community to lay such a trivial charge.

How can the Attorney General justify this cream-puffing of charges when it comes to charging the police officer as compared to any other person in the community?

Hon Mr Scott: As the honourable member knows, charges are laid on the advice of the crown law staff, which was given at a very senior level in this case, and reflects all the circumstances of the investigation. It is of course absurd to say that an injustice has occurred as the trial has not yet taken place. When it does, I will be glad to respond to any questions the honourable member has about the propriety of the proceedings.

Mr Kormos: Need I remind the Attorney General that in the matter of the Lawson shooting the provincial judge at the preliminary hearing appears to have been critical of the cream-puffing of the charge there, indeed asking counsel to comment on why he should not consider more serious charges?

I ask this of the Attorney General: Can he suggest for even the briefest of moments that if it were a black kid with a gun who shot a police officer who was strapped with his seatbelt in his car, that kid would be charged with anything less than criminal negligence causing bodily harm or even attempted murder? This is something for a jury to unravel and deal with, not for the Attorney General, as I say, to cream-puff and diminish in the process of charging.

The Speaker: Are you asking if the Attorney General agrees with you? The Attorney General.

Hon Mr Scott: I just reject the insinuation—it is more than an insinuation because the honourable member has the nerve to make it explicit—that is inherent in that question.

WATER QUALITY

Mr Villeneuve: I have a question for the Minister of the Environment. He was here a short time ago.

The minister will be aware of the recent events in the village of Westbrook where blasting in the local quarry apparently caused the depletion and contamination of area wells. Over 150 people have been without a safe source of drinking water since September. The minister cut off supplies of bottled water to several households with no concern for the quality of water in their wells. Will the minister reinstate bottled water to these households until water samples taken over a period of time show that they are safe for human consumption?

Hon Mr Bradley: It is my understanding—I have a note on it here—that everyone who had good water before the quarry incident and now has a well problem is being supplied with clean water at this time. As the member may know, in all of these circumstances, if there is an impairment to the water as a result of this quarry situation, the blast that took place at it, what we attempt to do is that those people who had good water before, and it was affected by this, would continue to get it.

I can tell the member that I have instructed my staff in the region to doublecheck to make certain of that, whether those whose water remains adversely affected by the quarry blast are no longer eligible for provision of clean water. I want to have our staff check each one of them. It is a good question from the member. We are trying to evaluate that at the present time.

Mr Villeneuve: I appreciate the concern the minister expressed and I hope this does come about in the very near future. In that same light, in the Kingston office, the minister's ground water people have been very preoccupied with this problem and have not been able to review many of the requests for approval of disposal systems.

I am glad the Treasurer (Mr R. F. Nixon) is here to hear this as well, because in the Kingston office we do need additional staff, particularly in the ground water area, to provide approvals that are presently pending, many of them over six months.

Hon Mr Bradley: I recognize, as the member points out, that with the degree of economic activity taking place in the province at the present time, an almost unprecedented degree of economic activity, there are far more applications coming to our ministry for approval than ever

before. I could say it is not simply the Kingston office—he is interested in that office as it deals with his part of the province—but in other offices we are scrambling to meet all those obligations.

I will certainly make known my views on the staffing requirements of our ministry to all the appropriate colleagues that I have in cabinet and I thank the member for his assistance.

FOOD INDUSTRY

Mr Reycraft: My question is for the Minister of Agriculture and Food. For three or four weeks now I have been receiving complaints from farmers in Middlesex that hydroponically grown lettuce is being dumped on the Ontario market. Specifically, their concern is that farmers in Quebec and the state of New York are being subsidized by their respective governments and are therefore able to sell the lettuce on the Ontario market at a price that is actually below the cost of production.

I want to ask the minister if he is aware of the situation, and if he is, what is being done about it?

Hon Mr Ramsay: Yes, I am aware of the situation. The question is most pertinent at this time. My staff, with Agriculture Canada and Ontario Food Terminal staff, are investigating complaints about this situation at this time. I would like to inform the member that there is no evidence of unfair price competition at this time, of any direct subsidies by any provinces or any states causing this at this time, as we look at lettuce marketing at the Ontario Food Terminal.

Mr Reycraft: Whether or not the lettuce is being dumped on the market, it is obvious that market conditions are extremely tough at this point in time. I would like to ask the minister what the Ministry of Agriculture and Food is doing to help our producers compete in this very difficult market.

Hon Mr Ramsay: Our marketing branch at the Ontario Ministry of Agriculture and Food is constantly working with Ontario producers to find new markets and enhance market opportunities for Ontario producers. I would also like to say that in the next week at the outlook conference in Ottawa I will be bringing up in discussions with my fellow agriculture ministers from across the country that we have to strive to work towards a more level playing field in provincial subsidies to our food producers in Canada.

INMATE TRANSFERS

Mr Farnan: My question is to the Minister of Correctional Services. Over the last couple of

weekends of 18 November and 25 November, in the movement of inmates between Whitby Jail and Mimico Correctional Centre we had the extraordinary situation of inmates, 21 on one occasion and 18 on another, being moved by a school bus with a civilian driver and with only one correctional officer in charge of the inmates. The inmates had no restraints, no handcuffs and no leg irons. I ask the minister, is this his idea of providing protection for the public of Ontario and of adequate staffing within his ministry?

1500

Hon Mr Patten: Yes, it is. The member should know that these people are on temporary absence or on very short-term weekend confinement. Those individuals are not your mass murderers. They are not people who have been violent with anyone before. They are people who perhaps have been under the influence while driving and are working full-time. They work during the week and may also be attending a course as well as getting some kind of treatment during the week.

The idea of a bus is that it saves us about 50 per cent of the cost of having a special van with special security for certain people. In this instance, it helps to save money in this area.

Mr Farnan: Perhaps the minister should simply buy tickets for the GO train for these inmates. I suggest to the minister that they are intermittent. However, past practice with provincial bailiffs requires one driver, two bailiffs and a secure vehicle. If the mandate of our correctional officers is care and control—I emphasize control—how can the minister justify this totally flippant attitude and approach to control of inmates in Ontario? It is indeed a disgrace.

Hon Mr Patten: I really cannot understand where the member is coming from. In one sense, he suggests that staff are totally responsible. The institutions, I will assure him, have a committee that examines the particular classification for transfers and the nature of the activity for individuals. This program is of serious interest and I know the member for Cambridge believes that to be true as well.

Perhaps I need to reiterate again that 87 per cent of the sentenced inmates in the Ontario correctional services are already in the community; it is only 14 per cent, and some of those are in certain categories of minimum security, temporary absence, intermittent, etc. They do not require the same kind of security as they might if you were dealing with someone who is psychologically disabled or someone who perhaps had been charged with a violent offence.

HEALTH INSURANCE

Mr Brandt: I want to revisit the question I asked earlier of the Minister of Health in connection with OHIP premiums. If there are those individuals who choose not to pay for the doublebilling period of January through April 1990, could the minister again very clearly advise the House what the position of her ministry is in connection with the continuing provision of health services to those who refuse to pay.

Hon Mrs Caplan: I have just received a copy of the news release the third party is sending out today. I want to say to the leader of the opposition that I think it is irresponsible and that I take objection to the fact that he is using scare tactics to say to the people of this province that he is playing politics with the delivery of health care. That is unacceptable.

Mr Brandt: I would hate to play politics with the Minister of Health, who invented the word. I have to tell the minister that she has a responsibility to tell the people of this province—forget my press release. Why does she not indicate very clearly what the position of her ministry is. I will be sending out another press release tomorrow, trying to figure out what it is she said in this House today. That in itself is difficult enough. Answer the question.

Hon Mrs Caplan: The leader of the third party has created confusion where there should be none. I will be speaking to my deputy to see how we can correct the wrong impression of confusion that he has caused. I want him to know very, very clearly that I consider his actions as being inappropriate and irresponsible.

Interjections.

The Speaker: Order. Once again we are trying to be patient while you are finishing your discussion. The member for Essex-Kent has a new question.

Interjections.

The Speaker: Order. Would the member for Sarnia and the Minister of Health—

Hon Mr Scott: It's not me, Mr Speaker.

The Speaker: Not this time. The Minister of Health and the member for Sarnia, you are wasting a lot of time.

YOUTH EMPLOYMENT

Mr McGuigan: My question is to the Minister of Labour. There has been a growing concern about young teenagers working in gas bars and convenience stores at night. Many of these are

under 14 years of age. They are able to be hired at a lower minimum wage if they are under 18. What is being done or has been done to ensure that employers provide safer working conditions for all staff under these circumstances?

Hon Mr Phillips: It is an extremely interesting question and one the member advised me he would be raising, so I have begun to look at this issue. It is interesting that at one time it was prohibited to employ individuals under the age of 18 past midnight. It was then changed to just prohibit employing women under the age of 18 past midnight. Then, I think in 1974, that prohibition was taken out. Currently there are relatively few prohibitions, as the member has noted, on working late at night.

Frankly, we have had relatively few complaints about it, but none the less it is an issue that I think is of some importance to all of us. I would like to assure the member that this is one issue I am going to look at as we look at our review of the Employment Standards Act. There are certain prohibitions about age in working in things such as mines, construction and factories, and prohibitions about working during school hours.

The member has raised a very interesting point both in terms of the minimum wage and the age. I would like to assure the member that is something we will be looking at during the review of the Employment Standards Act.

LIVESTOCK IMPROVEMENT PROGRAM FOR NORTHERN ONTARIO

Mr Wildman: I have a question of the Minister of Agriculture and Food. When will the provincial government re-establish the livestock improvement program for northern Ontario, which expired 31 March 1989, to help farmers in the north with the additional costs incurred by them in the purchase and transportation of quality breeding stock to improve their herds?

Will the program, when it is announced, be retroactive to 31 March 1989 and will farmers who purchased animals before that date but did not qualify for funding from the old program because they did not have the requisite documentation before the deadline be eligible?

Hon Mr Ramsay: I should be in a position soon to announce the continuation of that program. The member brings up some interesting questions as far as retroactivity is concerned and I would be pleased to get back to him on that.

PETITIONS

FARM TAX REBATE

Mr McCague: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"The members of Landscape Ontario Horticultural Trades Association had been assured by the government that no changes to the farm tax rebate program would be forthcoming until farmers and farm organizations had the opportunity to voice their concerns and suggestions.

"After these reassurances, the government went ahead with changes on an interim basis which impact in the nursery industry in a very negative fashion.

We request that the program be left as is until after a proper review and consultative process takes place."

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INTRODUCTION OF BILLS

ONTARIO MIDWESTERN RAILWAY COMPANY LIMITED ACT, 1989

Mr Lipsett moved first reading of Bill Pr45, An Act respecting Ontario Midwestern Railway Company Limited.

Motion agreed to.

BRANTFORD AND SOUTHERN RAILWAY COMPANY INC ACT, 1989

Mr Neumann moved first reading of Bill Pr54, An Act respecting the Brantford and Southern Railway Company Inc.

Motion agreed to.

ORDERS OF THE DAY

INSURANCE STATUTE LAW AMENDMENT ACT, 1989 (continued)

Resuming the adjourned debate on the motion for second reading of Bill 68, An Act to amend certain Acts respecting Insurance.

The Speaker: The member for Mississauga South (Mrs Marland) adjourned the debate.

Mr Harris: The member for Mississauga South was planning to speak today and is momentarily expected here. I might ask the indulgence of the House for maybe 30 seconds to see if I can ascertain that.

The Speaker: I guess that is a request of some sort. I was going to say a reasonable request, but I am not sure. That is a request from the member.

Is there unanimous consent to wait 30 seconds for the member for Mississauga South to return?

Agreed to.

The Speaker: The member for Nipissing has further information for us.

Mr Harris: Yes, I do. I thank the House for the indulgence. I am informed that with the deterioration of the highways over the last five years the member for Mississauga South is not here and I would suggest that we continue in her absence.

The Speaker: Thank you. Does any other member wish to participate in the debate?

Mr Philip: I am pleased to participate in this debate on the government's latest ventures in the auto insurance field. Basically, Ontario motorists face two problems when it comes to purchasing automobile insurance. The first problem is the problem of price, and any of us who have listened to our constituents know exactly what I mean by this. We have constant complaints of constituents, and indeed members of our own families, having astronomical increases in their insurance, even though they have been accident-free.

The second problem is one of availability. Any member of this House who has listened to his or her constituents knows that people have come in from time to time, many of them more frequently recently, complaining that their insurance has been cancelled or transferred to another firm or some other variation of that.

As the Consumers' Association of Canada has pointed out in examining Bill 68, this bill does nothing to solve either of these two problems, the problem of availability or the problem of price. Rather than solving these major problems, the bill creates even more uncertainty.

Private no-fault has not been successful elsewhere. Why should it work here? As the Consumers' Association of Canada has pointed out, having carefully studied this bill, the likelihood of uniform treatment of each claimant and of efficient delivery of disability benefits in the time frame promised by the minister will be difficult, if not impossible, to achieve. This bill is nothing more than a sellout by the Liberal government of the consumers to the auto insurance multinationals.

As the consumers' association stated in its release, the benefits proposed under Bill 68 are grossly inadequate. They are inadequate for the following reasons.

A major problem with Bill 68 is not only that the benefits are inadequate but that the benefits

are not indexed to cover inflation. Under Bill 68, the disability income benefits of 80 per cent of net earnings to a maximum of \$23,400 compares very unfavourably with the 90 per cent to a maximum of \$36,000 which was recommended by the consumers' association. Death benefits are \$25,000 under the bill, compared to what the CAC recommended—\$100,000 for head of household or spouse.

For medical rehabilitation and long-term care, the Consumers' Association of Canada recommended an unlimited dollar amount with no time limit. Bill 68 provides \$500,000 with a 10-year time limit for supplementary medical rehabilitation care and \$500,000 for long-term care.

While the seriously injured would likely be above the threshold and qualify to sue for damages, this would not be the case for those unable to prove that someone else was at fault. Therefore, the ceiling on benefits for younger victims may prove to be totally inadequate. What we have then are people who are going to be injured in this province and simply not provided with adequate finances to provide for the rest of their lives when they are seriously injured.

Many employees in this province have bargained with their employers for various types of disability insurance. Anyone who knows anything about the collective bargaining process knows that a dollar is a dollar. Every dollar you get in benefits is a dollar out of your wages. What this bill does is to remove money from the pockets of those people who have bargained for benefits from their employers, benefits in terms of disability packages in lieu of wages. They have forfeited wages in order to get disability benefits, and this bill robs them of those disability benefits.

If you happen to have bargained in good faith over a period of years for disability benefits, or indeed if you even have private disability insurance through a professional association, the auto insurance companies, under Bill 68, may not have to pay any disability benefits to you. They would do so only if your private disability benefits are less than \$450 a week, in which case, under the program, the insurance would simply make up the shortfall.

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If Bill 68 becomes law under these conditions, people who do not drive at all but who pay for disability benefits will in fact be subsidizing the insurance companies. Indeed, those who do drive and have paid for disability benefits through their collective bargaining agreement, through loss of wages, will also be subsidizing

the insurance companies. Thus, in a sense, there are going to be large numbers of people out there, people who are not motorists, who are going to subsidize the insurance companies under Bill 68.

This is not a statement of a political party. It is the consensus reached by the consumers' association, an association which is independent of political parties and which has members of all political persuasions as members of its nonpartisan association.

We in the New Democratic Party have shown over and over again that the insurance systems in British Columbia, Saskatchewan and Manitoba work, are less expensive and are fairer to the consumer. This government, despite all of the studies it has undertaken at a cost of millions of dollars, fails or refuses to look at these schemes. The Liberal members and their ventriloquists, the insurance companies, have argued that government run and operated plans are monopolistic and that the consumer should have a choice of companies.

Anyone who listens to his constituents knows that the consumer does not have a choice of companies. The consumers' association correctly points out in its brief that the distribution is such that in Ontario "there is very little competition in auto insurance."

This bill provides for the auto insurers, who are already monopolistic in their approach to the Ontario consumer, to have even more control over what goes out the other end; namely, the payments that they make.

Let me just give a couple of examples of the arbitrary system that now exists in the auto insurance industry in this province.

This is a draft of a letter which I have just prepared to send to the superintendent of insurance. It is a complaint provided to me by a Mr B.

"Mr B is extremely upset at the cancellation of his insurance by"—and I mention the insurance company. "At no time has he incurred an accident which was of his making. Mr B admits that there have been three accidents; two related to his automobile and one related to his wife's automobile. In each of these cases, the other driver was charged and the other driver's insurance company was forced to pay for the damages. Mr B. feels that he is being penalized even though at no time was he found to be at fault, nor did he or his wife contribute to the accident. I find it absolutely inconceivable that"—company X—"would act in this arbitrary manner."

That is a letter I have just sent to the superintendent of insurance. I am sure he will reply in his usual fashion; not because he is not concerned about what is happening to the consumers but because the government has not given him any kind of authority to deal with it in a substantive way.

Let me give another example. This is a letter I am sending to the minister.

"Dear Murray:

"Enclosed find photocopies of documents related to a complaint by the abovementioned constituent. (Mr C) has been a customer of (company X) for more than 10 years. Recently, he was short in cash and therefore sent only \$275 in his monthly payment. (Mr C) owed \$498. He assured the company that he would pay the balance in a few days.

"Instead of accepting this and charging whatever interest would be appropriate, the company cancelled his policy and refunded his \$271.41. The company now states that it will reinstate his car and truck only if he pays \$1,800 in advance. Being a working-class person, (Mr C) does not have \$1,800 which he can pay in one month.

"It appears that the company is being deliberately difficult in the hope that it can cancel his insurance or that he will move to another company. He has gone and looked at other companies, and, of course, he cannot find other companies that will insure him, except at a very substantial increase in rate."

The Liberal government argues that Metropolitan Toronto area residents will receive only an eight per cent increase this year as a result of this legislation. That is a far cry from what the Premier (Mr Peterson) promised. The Premier promised in the last election that he had a concrete way of lowering auto insurance in this province. Instead, what we have seen is one gigantic increase after another.

This is the latest in the Liberals' attempt to say, "We are not going to lower it, but we are going to allow them to raise it only eight per cent."

When we ask for the Liberal government to give us some substantiation of the eight per cent, some concrete proof that it will go up only eight per cent, it is unable to do so—and so we have yet another empty promise, a promise which at eight per cent, of course, is a direct contradiction to the Premier's promise of lowering rates. But even with this, the Liberals cannot come up with proof that insurance is going to go up eight per cent.

Not only is the Liberal government allowing the insurance companies to charge whatever they want, it is completely ignoring the latest scheme

for raising rates, which is the corporate flip. We have heard of raising rents through the corporate flip and we have seen it here in Ontario as a way of getting around rent review—now we have the corporate flip in insurance.

This is a letter which my constituent received, and it is not even a personal letter. It is called Ontario Insurance Service on Eglinton Avenue East and it says:

“Dear Client:

“We regret to advise that Scottish and York Insurance Co Ltd is unable to offer renewal of your automobile insurance on its expiry. To ensure that your insurance is continued without interruption, we have taken the liberty of replacing your policy with Victoria Insurance Co of Canada. The coverages, limits and deductibles remain unchanged from your former policy and although the premium has increased, we believe that it is very competitive.”

As my colleague has pointed out in this House, what we have here is two sister companies, two pockets of the same body, if you like, and what they do is one company cancels the insurance, refers people to the sister company and the sister company then says, “Yes, we will take you on as a client because we are such good corporate souls, but we are going to increase your insurance substantially.”

I have my constituent's premium notices here and I can tell members that it is a substantial increase and that she is very, very upset at what has happened to her. She finds it very difficult to understand how the Premier can promise that he had a way of lowering insurance and the insurance companies, through the corporate flip, are in fact manipulating the system like this and are being allowed to get away with it by this Liberal government.

On numerous occasions I have met with constituents who have informed me that they were hit by a driver whose licence was suspended. We have raised this issue in the House, and now of course we have the Provincial Auditor's report that has just been released and that shows just how inefficient this government is in even keeping the most reckless and irresponsible drivers off the road—a problem which of course cannot help but increase the cost of insurance.

On page 167 of the auditor's report, tabled just last week, he gives an instance which is mind-boggling, to say the least. This is the auditor speaking: “We concluded that an individual had three licence numbers under three different legal names. The driving records indicated 11 convictions for impaired driving,

blood alcohol exceeding 0.08 and refusing a breathalyser test. There were also four convictions for driving while disqualified.”

This government allows this kind of thing to happen, these kind of people to be on the roads, and its system does nothing to deal with it. In British Columbia, where the New Democratic Party instituted a proper system of insurance, the brokers distribute the licence plates and the decals and the cost of renewing licence plates is eliminated.

But, more important, this also guarantees that nobody can drive a car on the streets and highways in BC without auto insurance. Indeed, there is some check on who is driving, and a person whose licence has been suspended, and therefore whose insurance would naturally be suspended at the same time, is not out there with a new licence under an assumed name or a changed name.

This legislation instituting private no-fault is just the latest in a series of schemes which the Liberal government has instituted after millions of tax dollars spent on one study after another. The Liberal government should apply for grants under the Ontario student assistance program—it does more studies than any graduate school student. In the recent election, the Premier (Mr Peterson) told the people of Ontario—

Mr Carrothers: Well, that's pretty funny.

Mr Philip: The Liberal members say it is funny. I do not think their constituents find the way in which they sold out to the insurance companies very funny, and they will tell them that in the next election.

In the last election, the Premier told the people of Ontario: “Give me a large majority and I will stop free trade. Give me a large majority and I will save you money on auto insurance. Give me a large majority because I have a specific way of lowering automobile insurance.” His plan to reduce auto insurance rates has been about as successful as his so-called plan to stop free trade. The next thing, of course, we will hear is, “Give me a large majority and I'll stop the Wilson sales tax.” We will see just how successful he would be if the population of Ontario were foolish enough to give him another large majority.

Interjections.

The Deputy Speaker: Order, please.

Mr Philip: This is just the latest in a series of bumbling misadventures by a government whose polls tell it that the public is upset about skyrocketing auto insurance rates. We remember the millions spent on the Ontario Automobile

Insurance Board. We do not hear much about that from the government any more. It said this was the salvation, this was going to solve the problems. Perhaps it has something to do with the fact that the board concluded that the kind of scheme proposed in this bill, in fact, would not work. Its own board said this scheme would not work.

So now, instead of talking about how wonderful this auto insurance board is, the Liberals no longer mention it. It is the silent, unwanted visitor in the closet. That should come as a surprise, that the auto insurance board, having looked at it, says that this bill, the contents of this bill, the scheme proposed in this bill will not work. After all, the Osborne report also concluded that this scheme was unworkable. Threshold no-fault has been rejected by both Mr Justice Osborne and the government's own auto insurance board.

The taxpayers have spent millions of dollars for studies and boards, and when these bodies tell the government that this kind of scheme will not work, it does not want to hear what these boards and people say; or should I say, it rather would like to hear what the auto insurance industry says.

The problems faced by consumers are, as I say, twofold; one is one of price and the other is one of accessibility. If we look at what this bill does, we can understand why the insurance companies are so much in favour of the legislation and why all the consumers' groups are so opposed to it.

Thanks to the Premier, the insurance protection that people historically felt they had under the existing insurance scheme, flawed as it was, will disappear, and instead, what the bill does is take away benefits that they have even under the existing damage scheme. If you are a motorist in Ontario, thanks to the Premier and thanks to this Liberal government, your rights and those of your family to recover damage in almost all cases, if you are interested in a motor vehicle accident in Ontario, are being jeopardized.

Only in extreme and limited cases where you are tremendously seriously injured will you and your family be able to recover damages for injuries or the full loss of income. You will soon be taking a very serious financial risk in riding in your motor vehicle in Ontario, thanks to the Premier. Even buying additional insurance at substantial cost will not fully protect you.

Under the proposed plan, recovery in most cases will be limited. You will get nothing for your pain and suffering. If you are an employee,

you will be unable to recover full loss of wages, as I pointed out before. If you are self-employed, you will be unable to recover loss of profit and losses associated with disruption of business. You can lose your business and recover absolutely nothing under this legislation. You will be unable to recover for many serious physical injuries, including broken bones, scarring, torn muscles and the pain and suffering that accompanies all these and other injuries. You cannot obtain a recovery for any emotional or psychological injuries, such as depression, shock or anxiety created by an accident, and no matter what you earn, the most you can recover is \$450 a week. Many will receive a lot less. That is what the Premier and the Liberal government is putting in in Ontario.

What we will have is a situation where many innocent people will be injured in this province and not receive adequate compensation for their injury. What will you receive?

Unless you are among the very few who are seriously or permanently injured, the at-fault motorist will receive the same disability benefits as the innocent victim. If you go out and get drunk, drive a car over somebody, and you are injured equally to the person you have hit, you are going to get the same benefits as the poor, injured party that you, through your irresponsible action, have put into the hospital.

That \$450 a week is the poverty line income for a family of four in Metropolitan Toronto, so you are going to get poverty-line benefits out of this scheme.

Under the new plan, you will be able to recover medical and rehabilitation payments up to \$500,000, but if you are covered by OHIP, you will rarely, if ever, require this coverage, and as such, the coverage is largely illusory. This leads into another important point that I would like to make, because not only is this scheme introduced by this Liberal government unfair to the motorist, unfair to the person who may need coverage in the case of an accident but it is blatantly unfair to the taxpayer.

Although it may be hard to tell precisely the increased cost to the taxpayer because of the many other costs that, under the proposed plan, are hidden and that will be paid from general revenue tax funds, it is fairly clear that there are certain substantial costs which we can put a price tag on.

The insurance industry's annual payment of \$44 million to OHIP will be waived—nice gift to the insurance companies from the taxpayer. Whether you drive or not, your taxes are going to

give \$44 million of tax money to the insurance companies.

The government proposed to waive, for this year only, the three per cent tax payable by the insurance companies on insurance premiums, which this year totalled \$95 million, another giveaway to the insurance companies by the taxpayer.

The cost of administering the proposed new insurance review board we do not know yet, but that will be borne by the taxpayer. The cost of government studies on these issues, which we know have already come to millions and millions of dollars, again, will be borne by the taxpayer.

This legislation does not accomplish more accessibility to the consumer. It does not accomplish a reduction in premiums to the motorist. What it does accomplish is one more colossal bureaucracy, one more colossal giveaway of tax dollars to the insurance companies, one more attempt by the Liberal government to try to fool the consumer into thinking it is doing something, one more attempt to try to get the consumer to forget about the Premier's promise to lower automobile insurance in the last election.

This is unfair to the taxpayer because it is going to cost him a bundle. It is unfair to the motorist because it is going to give him less coverage than he had before. It is unfair, particularly, to the injured, because they are going to suffer the most with inadequate compensation under this. The only thing that this bill does is, it gives a massive giveaway to the insurance companies. The giveaway will come directly from the consumers and indirectly through each and every one of us who pay provincial tax.

This bill should be defeated. It is just the latest in the litany of unworkable schemes by this Liberal government. It is no wonder that the only people who are in favour of it are the insurance companies and that organizations like the Consumers' Association of Canada are so violently opposed to this scheme. That is why the New Democratic Party is proud to stand on the side of the Consumers' Association of Canada and not on the side of the insurance companies, as the Liberal government has done.

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Mr Kormos: It is, as usual, a pleasure to hear the member for Etobicoke-Rexdale with his usual analytical skills and candour address this particular problematic legislation, and it has been problematic for all of us here in the Legislature.

What is interesting is that the Liberals are not participating in this debate. New Democrats speak, Conservatives speak. Do the Liberals speak? No. We do not hear from Liberals. We hear from more New Democrats, more Conservatives. It is not as if there are none of them to talk about it. There are piles of Liberals sitting here. Do you know what the problem is, Mr Speaker? Some of them probably do not understand the legislation because they have been listening to the Minister of Financial Institutions (Mr Elston), and when you listen to the Minister of Financial Institutions, that is the last place in the world you are going to get an accurate analysis of this legislation.

Some of them are ashamed to stand up and indicate that they really do support this, because it is unsupportable legislation. We are talking about a \$650-million windfall for the auto insurance industry in the first year that this legislation is effective. We are talking about a government that has broken its promises, as the member for Etobicoke-Rexdale has told us; a government that has broken its promises not just once but twice, thrice. I mean, how many times does a cock have to crow?

We are talking about a government that proposes legislation that is indefensible, because what it is doing is paying a marker. It is paying a chit back to the insurance industry, which invested over \$100,000 in these members in the last general election, and by God, they are getting every penny of that back with interest, with big interest. Now these guys over here on the other side will betray the public, will betray the drivers of Ontario, will rob from them to pay the insurance industry.

Mr Phillip: I would be happy to respond to everything except the question, how many times does a cock have to crow? I do not know the answer to that question, but I am sure the member for Welland-Thorold, in his usual, researched way, will find the answer to that question, and perhaps after the next speaker he can share that research with us.

I think what the member for Welland-Thorold, though, correctly points out is that this government ran ads in the last election saying that it had a specific program to reduce auto insurance rates. It spent millions of tax dollars coming up with one scheme after another, one study after another. It has wasted its tax money. It has not come up with a scheme to reduce auto insurance rates. In fact, what it did do, though, was it came up with a body that it set up at considerable cost to the taxpayers. That body studied the proposal

that we have on Bill 68 and said that it was not working. So even the government is paying for research that it is not using, and it is doing exactly the opposite of the advice that it is paying so much money to obtain.

I say to members that there must be some reason why the Liberal government would ensure—"ensure" is not the word—assure the auto insurance industry this kind of profit and turn its back on the consumers. The member for Welland-Thorold talks about the \$100,000 that the Liberal coffers received from the auto insurance industry in the last election. I would not say that the Liberals sold out for \$100,000. I would find that hard to accept, that someone would be that immoral. I think it is simply government rigid ideology, that it is not prepared to face the facts and deal with it in a way that does work, and that is the reason why it is wasting our money, our time and our tax dollars.

The Deputy Speaker: Thank you. Le député de Stormont, Dundas et Glengarry.

M. Villeneuve : Merci bien. Il me fait plaisir de participer au débat sur le projet de loi 68 cet après-midi.

Mr Speaker, I come from an area very similar to yours, as I have said many times. In eastern Ontario, some of our constituents have had the misfortune of having an accident in the province adjoining immediately to the east of us, Quebec, a province that for some period of time has had no-fault insurance. It is very concerning to me when these things occur. The rumour that I get back is, "Well, it's too bad he had his accident on the east side of the Ontario-Quebec border." There is a totally different way of treating accident victims when the accident occurs in a province which has no-fault insurance.

This legislation is in many ways quite similar to the one they have in the province of Quebec, where heaven forbid that you have a major accident with bodily injuries that could be life-threatening, or even a lesser one. There seems to be a certain atmosphere when someone has an accident under no-fault—and I emphasize "no-fault."

Regardless of who caused the accident, no one really has to pay the bill. It is totally different from the concept we have had in the past. Thank goodness, this government has agreed, after considerable pressure, to bring it to a committee of the Legislature. Let's hope that amendments can be brought to this particular act that will recognize, to some degree, the individual who caused the accident. No-fault insurance sounds great until you happen to be on the other end of an

accident which was no fault of yours but yet you may be crippled or maimed or certainly out of work for a period of time.

This government came to office very shortly after the Premier made a promise. As a matter of fact, I think we have recorded it many times, and I think it bears recording again. On 7 September 1987, three days before a general election in the province of Ontario, the Premier said that he had "a very specific plan to lower insurance rates." That has been documented time and time again. It was said in Cambridge and, would you believe, a member from Cambridge was elected. However, that is now history.

Since that time we have had, with that statement and pursuant to that, an increase of 4.5 per cent on 1 January 1988, an increase of 4.5 per cent on 1 August 1988 and an increase of 7.6 per cent on 17 April 1989. In about a year and a quarter, we have had a 16.6 per cent increase. We can just wait until the premiums come due to Ontario's public next. I can assure the House that we will have some gnashing of teeth and some very, very serious repercussions. We are going into a time when, again, it is no-fault insurance, and that from the experience, particularly, in a province such as Quebec, which has a lesser degree of traffic concentration than we have here in the greater Toronto area or even in other places in the province of Ontario. It is an area and a concern that I certainly have had brought to me from constituents who have had firsthand experience at having been, unfortunately, in major accidents in the province of Quebec.

The government's bungling on automobile insurance has cost taxpayers dearly. The \$7 million that the insurance commission cost prior to its dissolution and the untold millions, probably in the area of \$50 million plus, that were spent by the different insurance companies getting prepared to meet the so-called requirements, as was set out by the now defunct automobile insurance commission. These are costs that will be borne by the driving public of the province of Ontario and no one else.

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A report of the Honourable Mr Justice Osborne, entitled Report of Inquiry into Motor Vehicle Accident Compensation in Ontario, has cost very dearly. The 147 recommendations aimed at improving the delivery of accident compensation have been disregarded. The government established the insurance board in February 1988, and I recall well the Minister of Financial Institutions saying that the board would be almighty and that this government was going

to abide by the board's recommendations and decisions. But would members believe that somehow or other a message came to this very same minister and within the month the minister had totally reversed his position, the automobile insurance board no longer existed and indeed the government had done what was for it politically expedient?

The government established a number of criteria in this legislation. As I said before, thank goodness that, pursuant to pressure from both opposition parties, this legislation will at least have the opportunity of receiving input from numerous groups. I will enumerate some of the groups that have expressed concerns to myself, and to our party in general, concerning some of the anticipated requirements, regulations and otherwise that this government is planning in Bill 68.

The government plans to implement threshold no-fault car insurance in Ontario, and this is almost a situation that was not to be. The increases in premiums have been in the area of 16 per cent, and once we are three years down the road following the initial increase of 1 January 1988, many people will not be able to afford to drive in Ontario. We will find many people, particularly our young people, being forced to be insured by the Facility Association, the mechanism that is prohibitively expensive for many, if not most, Ontario drivers.

The government plans to implement threshold insurance as soon as Bill 68 receives royal assent. The Osborne report says, and I quote, "I have concluded that aside from the provision of a modest degree of additional stability for automobile insurance, cost/premium decreases would be modest were we to proceed to threshold no-fault and those modest cost savings would be imported on the backs of over 90 per cent of injured Ontario motorists who now have the right to seek noneconomic compensation."

Further in the Osborne report, "Having looked at a great number of compensation systems, in the final analysis, it seems to me that while our system is far from perfect, Ontario should be an exporter, not an importer of compensations systems."

Further from the Osborne report: "Threshold no-fault should be rejected because it is relatively inefficient and unnecessarily arbitrary. There will either be no or minimum savings on transaction costs if threshold no-fault is initiated."

Further in the Osborne report, volume 1 outlines the progression of motor vehicle accident-related claims through the courts. The

report shows that in 1985 there were 232,203 third-party liability claims reported. Only 4,383 of these cases went to trial and only 3,755 proceeded through to judgement. That is less than two per cent.

Many of the different policy initiatives which comprise the Ontario motorist protection plan could have been implemented long ago and do not require threshold no-fault.

Higher fines for speeding and other traffic offences would certainly assist, and I believe the government is starting to move in that direction.

Campaigns to increase the use of seatbelts and daytime running lights have proven that they reduce accidents.

Consideration of licence restrictions on new drivers: Certainly that has to be explored. I happen to come from a rural area where possibly at 16 we have good drivers who can go on our public roads with farm vehicles, farm pickup trucks. If some restrictions apply, I think we can live with that. I think it has to be looked at because we have had some very tragic fatal accidents in the area that I represent and they did involve young people inexperienced in a number of situations, other than not having a long driving experience record, which have contributed to the snuffing out of young lives.

Better identification and treatment of repeat drinking driver offences: That certainly does not include simply a change of name.

Increased funding for highway median barriers and paved shoulders: I can assure members I travel on Highway 401 quite extensively. I also travel on some of our other provincial highways. Shoulders in many areas leave a great deal to be desired and I think in many instances can cause a loss of control of vehicles and subsequent accidents that need not occur.

Improved freeway traffic management: Certainly on Highway 401 we have areas that are still unsafe because of the very rutting of the road, which I need not address very long in this Legislature because I think we have all experienced it. Particularly at this time of year, when there tends to be slush and/or snow on the roads, it can be very treacherous and a situation can come about when a driver who is not accustomed to those particular conditions and circumstances can lose control of a traffic vehicle very quickly.

Not long ago the Attorney General (Mr Scott) announced increased availability of structured settlements, improvements to the method of time period for which prejudgement interest is calculated and increased availability of advanced payment for all personal injury claims. The

Attorney General promised these initiatives, on 9 February last, exclusive of any no-fault system being introduced. Again, these reform measures are not ground-breaking. They were derived from the Osborne report and the Ontario Law Reform Commission Report on Compensation for Personal Injuries and Death. Certainly the fact that the Osborne report has been totally disregarded is an alarming situation to say the least.

The Solicitor General (Mr Offer) announced an additional 115 Ontario Provincial Police officers would be hired and assigned to targeted areas with high traffic accidents and compliance problems. We understand that some Ontario Provincial Police officers have been reassigned from traffic duty to drug and other duties. From the people I have spoken to, I understand those who were removed from the traffic assignments have not been replaced. So we have a vacuum in our Ontario Provincial Police total workforce, in our total policing force, that needs to be looked after.

It was announced that an extra 25 police officers with fully equipped cars would be assigned to the greater Toronto area, where traffic law compliance and accidents are the most acute; that an additional 90 provincial police officers will patrol Highway 401 and the entire 400 series of highways throughout the province of Ontario, and that there would be continued operation of the Reduced Impaired Driving Everywhere campaign. These are very, very great initiatives, but they have not come to fruition, and we wonder if they will come to fruition because we are speaking of saving lives here on our highways in Ontario.

The Minister of Consumer and Commercial Relations (Mr Sorbara) announced an increased use of the ministry's ghost car program. I know we drivers from time to time exceed the speed limit on Highway 401 and we keep an eye on the mirror. However, that ghost car does surprise us from time to time and it is probably not a bad idea at all. It keeps us all a little more honest and there is nothing wrong with that.

1600

The narrow wording of the threshold will lead to many problems. This was touched upon in the previous report referred to. It is very narrow on such things as permanent serious disfigurement or permanent serious impairment of an important bodily function caused by a continuing injury which is physical in nature.

The Minister of Financial Institutions is leaving everything up to the courts to interpret,

and that concerns me in that we really do not know where the courts will finally place the blame or draw the line. What is permanent? In political life permanency might be a year, whereas in the teaching profession or in another profession permanency might be 20 years, and so it goes. So what is permanent? What is a serious impairment? For example, by whose standards are we judging the seriousness of an accident? Those of the victim, the courts, the insurance companies or a party totally independent of all of these? What classifies as an important bodily function? I will not comment on that particular part of the anatomy as it applies to politicians. However, there are other people who are very concerned about this, and certainly the courts again will have to decide.

Threshold expressly prevents anyone suffering psychological, mental or emotional injuries from seeking legal redress. It is a hard, fast amount that these people will be receiving pursuant to having used up any of the benefits which may be forthcoming from a position, a job which they hold.

Persons injured in an automobile accident face increased litigation: one case to challenge the threshold, another case to settle the damage. The wording of the Michigan threshold, upon which Ontario's is to some degree based, has led to numerous conflicting legal opinions. To date there have been over 1,200 different interpretations of the threshold as it relates to injuries suffered in automobile accidents in the state of Michigan.

The new Ontario Insurance Commission is a toothless tiger with very limited powers. The insurance commission will replace the Ontario Automobile Insurance Board and the Ontario superintendent of insurance. The Minister of Financial Institutions has made the statement that the new commission will have broad powers of intervention and enforcement and will also be responsible for protecting the interests of consumers and regulatory agencies and rates. That is what this same minister said about the insurance board which in one fell swoop he dissolved pursuant, I am sure, to some pressure from the Office of the Premier, bringing to fruition the predictions of the former Minister of Natural Resources, who is the member for Niagara Falls (Mr Kerrio), back in his riding not long ago.

The new commission will do nothing but review and approve rates. Insurance companies will set the rates, and it is not clear if there will be any specified rate ceilings or any other criteria by which to set rates, ie, driving record, age of the

driver. It is a nondiscriminatory law, supposedly; however, there are times when you wonder at the fairness of this so-called nondiscriminatory law.

There is no cost saving for consumers under the new system. The Minister of Financial Institutions has told us that drivers in urban areas can expect their rates to rise on an average of about eight per cent next year. If you add that to the 16.5 per cent, we have got 25 per cent minimum; and the eight per cent, I would suggest, coming from a Liberal government, is a conservative estimate. Drivers in rural areas would see no increase on average.

Rather than paying a projected 30 per cent to 35 per cent increase next year under existing conditions, the new system will generate a saving for consumers, it is stated. Rates will rise by eight per cent on average. How can that be a saving to consumers? In my farmer's mathematics an increase is an increase, and we have already had 16.5 per cent on average. So in less than three years we will be at at least 25 per cent, and likely closer to 30 per cent or 35 per cent, increases in premiums for less coverage.

The eight per cent premium that is anticipated by the government for drivers in urban areas is just an average and the government has not placed a cap, a limit or any restrictions on increases.

The new system allows for some discrepancies. Insurance companies are currently engaged in the practice of cherry picking, and that is writing policies for clients who present the lowest risk of outlay. That is where some of our younger drivers and some of our drivers who have had a minor or a relatively serious accident will be referred immediately to the facility coverage. They then will have no recourse but to decide to either pay the high premium or park the vehicle. It is going to be that simple.

We will have groups of unhappy potential drivers and drivers who have been asked to either go to the facility or discontinue driving. We will have them at our constituency offices pounding on our doors, and I am not sure what I as an elected person at Queen's Park will be able to tell them. I am looking for some direction from our Liberal colleagues across the way.

As a matter of fact, Mr Speaker, there are so few of them in this House right now, could you possibly have a count to see if we have a quorum?

The Acting Speaker (Mr Breaugh) ordered the bells rung.

1608

Mr Villeneuve: Prior to a number of government people re-entering the Legislature I was

talking about the likelihood of companies doing some cherry picking and indeed choosing only the very low-risk drivers for them to insure and sending anyone who looks like he or she might be a high risk to the facility. I can assure the members that I really do not know how I will be able to cope with this other than to go to the Minister of Financial Institutions and try to obtain from him the reasoning as to why some young parent can no longer afford to drive his car to work and to feed his family. We are talking of pretty serious stuff here.

Companies would be much more eager to insure those individuals whose employers provide some maintenance programs. In this way, insurance companies would avoid the risk of paying out the \$450 a week of income maintenance programs, under the regulations, to those who have suffered injuries.

I will try to summarize to some degree what the bungling of Bill 68 has cost Ontarians as motorists and as residents. Consumers will pay—and get this figure; it is astronomical—approximately \$773 million for the adoption of no-fault insurance to provide them with less coverage and no opportunity or very limited opportunity for litigation.

Here is the breakdown: \$480 million, the amount insurance companies save in compensation payouts for pain and suffering under the new threshold no-fault insurance; \$150 million, the amount insurance companies save in compensation payouts for economic loss under the new threshold insurance; \$95 million, revenue the government will forgo by eliminating the three per cent tax drivers currently pay on insurance policies underwritten in Ontario and, finally, \$48 million, the amount insurance companies will no longer have to pay to OHIP for medical services provided to innocent victims of car accidents. A total of \$773 million is the bottom-line cost to Ontario drivers.

No-fault insurance is not only opposed by yours truly and our party. I will list for members some of the organizations that have to this point attempted to get the attention of the government in opposing threshold no-fault insurance. Some of these groups are as follows: The Academy of Defensive Driving, and I think this goes back to the syndrome that I spoke about that happens in Quebec. An accident is an accident is an accident over there. They say, "It's too bad it happened, but really it does not affect me whether I am at fault or not."

Other groups are the Barrie and District Association for the Physically Disabled; the

Canadian Paraplegic Association; the Canadian Trauma Consultants; the Centre for Educational Development; Mothers Against Drunk Driving, the MADD association from Windsor; the Ontario Motor Vehicle Accident Victims Association; People to Reduce Impaired Driving Everywhere, the PRIDE people; Students Against Drunk Driving, SADD from North Bay; the Head Injury Association of Ontario; Young Drivers of Canada, and the Consumers' Association of Canada. I can assure members that whenever the committee work begins, we will really and truly see the number of individuals and groups that will oppose this legislation as it presently drafted.

Innocent victims of car accidents will suffer under this new system as well and, as I said, it will cost them \$773 million for less coverage. The following scenarios are real-life hypotheticals of what might happen under the new system compared to the present.

A factory worker earning \$800 a week suffers whiplash injury when his car is rear-ended. His neck injuries prevent him from working for one year because of the heavy lifting and manual work involved in his job. Under the present system, he would receive \$10,000 for damages for pain and suffering and \$41,600 damages for lost income, which is \$800 a week times 52 weeks, a total of \$51,600.

The interesting thing under the proposed system: Nothing for damages for pain and suffering—the injuries do not meet threshold definitions as serious; \$23,400 damages for lost income, which is \$450 a week, the maximum under this proposed no-fault plan, and the benefits for 52 weeks, a total of \$23,400 and a minus of \$28,200 which he had available to him under existing legislation.

I can go on and on. However, I think that basically says enough.

I want to quote a bit from Ted Rachlin's report, and I know many other members have quoted from it. However, I think it is well worth a few quotes when this highly knowledgeable barrister says the following:

"No-fault insurance is very appealing to most everyone. However, the label is terribly misleading. Most people think of no-fault insurance as insurance which pays all people fully without regard to fault. There is not much room for quarrelling with that type of insurance."

Of course, I know the Premier and many of his elected candidates in 1987 used this extensively, leading up to a certain special date on 10 September 1987. If, at an acceptable premium,

insurance can be made available which will fully compensate all injured persons without regard to fault, that is great.

However, it always seems that we hear of someone being in a bad accident, we feel terrible, we feel very sorry. But when we ourselves or one of our immediate family winds up in that particular situation, that is when it strikes home. That is when the MPPs' phones will be ringing and their doors will have numerous people knocking on them, saying: "What have you done? I am now paying 25 per cent more in my premiums and I have basically no coverage."

It is a situation that I hope this government recognizes as it goes to committee. Thank goodness, because of pressure brought by the opposition, it is going to committee. I certainly want to hear from the people in Ontario who are concerned, the groups throughout Ontario who know this will not be the answer, nor will it be providing reduced premiums to the public of Ontario. It will not alleviate their situation at all.

I hope this government is not simply paying lip service, as it did in Sunday shopping and many other pieces of legislation. I hope they are listening and willing to adjust this legislation, to amend it at least to meet some of the major concerns we have out in Ontario.

Mr Kormos: The last speaker raised the history, the antecedents to this legislation. The questions to be asked are: Did the Liberal government tell the truth about Sunday shopping? Did the Liberal government tell the truth about Workers' Compensation Board legislation? Did the Liberal government tell people the truth about this auto insurance legislation? Did they tell the truth on any of those occasions?

The minister of obfuscation, the minister of legerdemain, Ananias sitting over there in the front row would have us believe that this little package of legislation is something that descended upon him like manna. It did not descend upon him. It was thrust into his hands, along with marching orders. He was told, "Get this legislation passed as quickly as possible." Who told him that? The auto insurance industry, because this legislation means profits it never dared dream of. This legislation means that drivers in Ontario are going to be gouged as never before. We know that and we are not afraid to say it.

Do the Liberal members here participate in the debate? No. Why? Because they cannot justify their support for this horrendous, horribly crippling, cruel, sadistic legislation. This is immoral legislation. This legislation is the big payback for the \$100,000 and change—that is all

that is recorded at least, and it beats fridges and paint jobs any day of the week—that these guys got from the auto insurance industry in Ontario.

1620

Mr Ferraro: I will not comment on the critic in charge of animation and burlesque, save to say that he moves along from seat to seat when other members are speaking. There is no truth to the rumour that he has more seats than a toilet manufacturer.

I want to say, however, with regard to the member who quoted some statistics, I think he indicated, and rightly so, that there were 121,000 bodily injury claims in the year 1987-88. He narrowed it down to 3,000 and something that actually went to court. The percentage he quoted was something like two per cent. I think the member would want to further elaborate that while the percentage may be small, I am sure he would want the people of Ontario to know that the aggregate amount of that two per cent was \$1.8 billion in costs in insurance claims.

The other point I want to make that has been mentioned by the member for Stormont, Dundas and Glengarry (Mr Villeneuve) and by previous speakers is that indeed Osborne and Slater recommended against the threshold system. No one is denying that fact, certainly no Liberal is trying to hide that fact at all.

We would point out, however, that in their determinations they made a number of assumptions. The first assumption was that bodily injury claims and accidents were going down or levelling off, and of course the OAIB tribunal actually pointed out that they were going up.

Second, if we took a threshold insurance program in isolation then, yes, we would recommend against it but, as you know, Mr Speaker, this government has decided to take a comprehensive approach to dealing with the insurance problem and, in that regard, we are dealing with not only a threshold system and product reform but with consumer protection and tort reform and indeed with education for our consumers and road safety as well. So in this regard we will indeed keep many of the member's constituents away from his door.

Mr McLean: I would like to comment briefly on the member for Stormont, Dundas and Glengarry's statement. The speech he just gave was excellent. It brought out a lot of the good points that have been brought out in this Legislature with regard to Bill 68, the insurance bill. It is a bill that I had the opportunity to speak on not too long ago, to try to relate some of the

indications that were in that bill, and my colleague brought out many of those.

On the weekend, there was an interview with an insurance agent on television—I know the member is aware of it—who did not want to be seen by the public. He wanted to relate some of the concerns that the insurance industry has with regard to the brokerage firms and with regard to the overall insurance here in Ontario. This morning, I had the opportunity to chat with an insurance agent, and he indicated to me very strongly that, yes, there are some concerns with this insurance. He is looking for amendments to this insurance. So the agents are not satisfied either.

I think the Osborne report was one that would have been well worth the government's while to look at. I had the opportunity this morning to chat with a lady in Penetanguishene who has \$2,500. She has been off work seven months and the insurance company is not looking after her properly. Some of the issues that my colleague brought out are those very types of issues.

The public out there should have the opportunity to have full and open hearings right across this province with regard to this insurance, as the member so ably stated. I hope that the government will see fit to do that. The key is when the insurance agents themselves say that, yes, there are some faults with Bill 68. I hope the government will see fit to make it correct.

Mr Villeneuve: First of all, my colleague the critic in the official opposition, the member for Welland-Thorold, discussed the truth, and the truth is sometimes quite elusive. Politicians are known to be able to twist it, but the Premier said in September 1987 that he had a specific method of reducing insurance premiums.

Mr Kormos: Was he telling the truth?

Mr Ferraro: Yes.

Mr Villeneuve: The truth of the matter, and whatever the truth is—The parliamentary assistant said yes. Again, that is another method of twisting it because 16.6 per cent increase in one and a quarter years, plus another minimum of eight per cent in less than two years, is that reducing—

Interjection.

Mr Villeneuve: The parliamentary assistant tells us it is reducing. Well, it is reducing one thing; it is reducing the coverage. It is lowering the amount of protection that you have. However, it is certainly not reducing the cost and that is what the Premier told us he would be doing.

Mr Ferraro: He said "lowering."

Mr Villeneuve: To the parliamentary assistant, he tells us that the cost of claims, about 25 per cent of the cost of the claims of these two per cent accidents was a very, very healthy figure. We are not quarrelling. Some of the settlements, I believe, have been or appear to be exorbitant. We never know the whole story. At least there is a chance to air and vent the situation, bring it to the courts of law. This will be eliminated in 95 per cent of the cases.

To my friend the member for Simcoe East (Mr McLean), my colleague, the agents are concerned. The agents will receive disgruntled drivers whenever they receive the statement that they have to go to the Facility. From the agents' office they come right to the MPPs, and that will be our problem.

Miss Martel: I am pleased this afternoon to start to participate in Bill 68 which, if the truth were told, is probably the latest in a series of long government failures to deal with the problems of auto insurance in this province in particular. I think you have to take a step back before you deal with the specifics of Bill 68.

Hon Mr Conway: Some people would say Barratt was a step back.

Miss Martel: No, I do not think so, but we will see what happens at the Liberal convention.

In any event, you really have to look at this in a broader context to understand how this fiasco goes on and on and on and how this government has done absolutely nothing, zero, zilch to deal with the real problems out there, which are problems of affordability, accessibility and fairness.

This horrible little piece of legislation does not come close to addressing any of those concerns. In fact, this horrible little piece of legislation does not do anything to address what are the real concerns of people out there, the concerns that members heard, I am sure, on the doorsteps in 1987, the concerns that I heard on the doorsteps, the concerns the parliamentary assistant, I am sure, heard on the doorsteps and the concerns that we hear again and again and again, like the eight cases I have with me here today.

So the problems continue. The government has not done anything since 1987 to deal with the problems, and this particular bill is going to cause even more problems added on to the ones we already have. It does nothing to talk about the real issues of accessibility, affordability and fairness, and I say to the Minister of Tourism and Recreation (Mr Black): "Come on back in. Let's go through it."

I want to go back and take a look at some of the history around the problems in auto insurance because really we have seen this government on a number of occasions in this House in the two and some years that I have been here—it has been a history of bumbling efforts on the part of whichever minister was in charge of Financial Institutions to try to fix, to try to repair, to try to amend, to try to Band-Aid over some of these terrible problems the consumers are facing when they try to get auto insurance and try to hang on to auto insurance and try to pay for auto insurance in this province. It is just interesting that what the government has done has not resolved any of this.

Let's take a look. If you go back to 1986-87—that was before I was here or my good friend the member for Welland-Thorold, Mr Speaker, but certainly you were here at the time. You will recall, I am certain, that our former colleague from Welland-Thorold, one Mel Swart—

Interjection.

Miss Martel: No, Welland-Thorold. He had brought to the attention of this House and to the public of Ontario all through 1986 and a good part of 1987 before the election some of the horrible problems that consumers were facing: problems like discrimination when they went to the auto insurance industry and tried to get coverage; problems of families who had perhaps one bad driver or one driver with a bad record and the whole family was being penalized; problems in terms of outrageous, enormous, inflated, exaggerated rates as the insurance industry in this province just kept hauling in the millions and millions of dollars and putting it to consumers again and again. He raised those cases in this House.

Hon Mr Bradley: Where is Mel now?

Miss Martel: I should say to the honourable Minister of the Environment that I saw the good former member in Winnipeg. He spoke highly of the minister; not so highly of his colleague the Minister of Financial Institutions, however. He was hoping for a little bit better. He was hoping for a resolution to the problem and he has not seen it.

Hon Mr Conway: Was he supporting tomorrow's candidate?

Miss Martel: I will not say who he was supporting on the basis that I might incriminate the man. However, he spoke well of most members of this House but he did not speak well of this government's plan to try to reform auto insurance because he knows, as we all know,

even though he is not in this place any more, that what the government has proposed will do nothing to resolve the problems that he raised again and again and again in this very Legislature.

1630

Hon Mr Conway: Who do you think Bob Rae supports?

Miss Martel: I have no idea.

In any event, here we were in 1986 and 1987, before I got to this place, and the good former member for Welland-Thorold was raising these cases again and again. Finally, because the crisis was becoming so exacerbated, so extreme, so heightened, the former Minister of Financial Institutions, the member for Wilson Heights, currently Minister of Industry, Trade and Technology (Mr Kwinter), finally was forced to the wall and forced to do something.

In April 1987—I remember it well; it was the same day we were having an all-candidates debate for the nomination in Sudbury East—I remember that the minister stood in his place and announced two things to try and start to resolve some of the crisis in the automobile insurance industry. Number one, he promised there would be a cap, a freeze; no more rate increases. Number two—

Mr Kormos: That was a lie.

Miss Martel: I will not say that was a lie. I am not sure. I assume that at the time maybe he did think there would be a freeze, with no more increases in rates, etc, but in any event he promised a cap on rates.

The second thing he promised in this Legislature in April 1987 was to establish an automobile insurance board. The purpose of the board, we were told and we assumed, if the government was quite serious about getting a handle on what was happening around automobile insurance, was to try to sit down and look at rates and determine what was fair and reasonable and what consumers should be paying for automobile insurance, not the inflated, exaggerated rates they had been forced to pay, that were being sucked out of them by the insurance industry in this province, but in fact a good realistic study of what rates should be, how rates should be lowered—because it was obvious to everyone that the public was being gouged—and in fact to put in place a mechanism where fair rate increases would be allowed, with participation from all sectors, not only of the industry but from the consumers, government members and the interested public, to put in place a mechanism that

would allow for fair rate increases, not the constant gouging knife in the back that we were getting via the automobile insurance industry.

I remember that announcement. I heard him on TV. It really looked as if he was going to stomp all over the industry that day. I was quite impressed. As someone who had not been in this House before and did not know the man personally, I was quite impressed by what he had to say. I thought: "This is it. It's about time. The Liberals are finally going to kick the little red wagon of the insurance industry and we are going to have fair rates in this province."

I thought it was a good thing at the time. I must admit frankly that I did, because I thought that for the first time this government took seriously what my former colleague the member for Welland-Thorold had to say and in fact was going to respond positively.

What happened? Nothing. From April until September 1987, nothing happened. There was no legislation introduced in this House. There was no move to try to get some controls on the automobile insurance industry. Instead we went into an election in 1987, and boy, was the Liberal Party ever supported by the automobile insurance industry. I remember in my riding getting those little advertisements, those little pamphlets, in the mail from the automobile insurance industry that said, "In a pig's ear my premium is paying for it."

They were advertising on why we should not have a public plan in this province, the taxpayers picking up that tab on behalf of the automobile insurance industry, which was certainly supporting the Liberal Party as my colleague the member for Welland-Thorold has already pointed out. There you go. Nothing was done. But certainly the automobile insurance industry was big in that election supporting this government and trying in whatever way it could to defame and misrepresent the facts about public automobile insurance and New Democratic Party support of it.

In any event, I guess the best part of that election was three days, just a mere three days, before the election in September 1987. There was the Premier in Cambridge and there he was proclaiming the Cambridge manifesto on how this government had a specific plan to reduce rates. It could not have been any clearer than that. This government had a specific plan. If elected, if the good people of this province cast their ballots in favour of the Liberal Party, they could rest assured that the Liberals had a plan to lower rates, put their minds at rest, reduce some of their

terrible premiums and bring some fairness into the whole system.

A lot of people believed that, just as a lot of people believed the member for Wilson Heights in April 1987 when he said he was going to put a cap on rates and when he said he was going to establish the rate insurance board.

I think the interesting thing—I looked at that again and I thought: “Finally I think this government might be serious. Mind you, it is three days before an election, so it seems a little bit opportunist to me, but in any event it looks as if this government is going to wrestle rates to the ground. The Premier is going to save us. My God, thank you. We’re on the road.”

What happened? We got back here and the House opened early in November and the apparent solution to all our problems came in the form of Bill 2. You will remember it, Mr Speaker; you were here.

Bill 2 did two things. It put a supposed cap on rates and it established for the first time in this province this rate review board that, we thought at the time, was supposed to at least take a serious look at the industry and its rates and put into place a mechanism to provide fairer rates for consumers.

What happened was that even while this bill was being debated, even while this bill was not in place, the Treasurer (Mr R. F. Nixon) of the province went ahead and allowed his good friends in the auto insurance industry to recognize a 4.5 per cent increase in rates even after his colleague the present Minister of Industry, Trade and Technology had told us in April there would be a cap, a freeze, no increase on rates. Well, here we are; the bill is not even through, even though the Liberals have a big majority, and we have a 4.5 per cent increase.

We wonder why people are cynical about government. We wonder why people did not believe the Liberals. They certainly did not believe them after that point in time, when they said they had a specific plan to lower rates. How could they believe the Liberals? We had a 4.5 per cent increase in rates and the bill had not even been passed. There we go again with the Liberal government catering to its friends in the insurance industry and looking after them well because the insurance industry looked after the Liberals well during the last election, and of course hoping to cement a solid alliance for the future.

In any event, we had two more rate increases from that point. The first was that we had another one in 1988, another 4.5 per cent rate increase.

When the few people who were not cynical before finally saw that, that was the end of that. We have a whole population in the province who cannot trust the Liberals whenever they have to say anything about auto insurance. If they go back to Cambridge and contrast what the Premier said there and what they are seeing now, it is no wonder they do not know what to believe or who to believe, or if their rates are ever going to decrease as promised by the Liberals in 1987.

The second increase came with Bill 10 and that allowed a 7.6 per cent increase. I suppose most consumers in the province felt a sigh a relief, if the truth must be told, because the auto insurance board had come out several weeks before that and had talked about a 30 per cent increase; this from a board we thought was going to look at rates seriously and provide fairer rates, provide a mechanism to lower rates, because all of us thought the rates were so exaggerated that something had to be done.

There we were with a horrible classification system that would have increased rates exorbitantly, for example for seniors and for young women. It did not do much about bringing down rates for young males but it brought the rates for females up. The classification system and that rate increase were all part and parcel of that Bill 10. It was probably just as well a good part of the classification system was done away with because it was not fair by any stretch of the imagination.

I have to say that since the announcement of the specific plan to lower rates, we have now had three rate increases in the province. We have not had an end to any of the injustices or unfair practices that were raised in the cases by the former member for Welland-Thorold.

Getting to Bill 68, which we are discussing in this House today, I have to say in all honesty that it really is another event in a long history of pathetic events by this government to try and respond to consumers’ concerns around auto insurance. The concerns, as I have said to members before, are really this: affordability, accessibility and some kind of fairness. Anything we have had before has not addressed it and this bill does not address it.

This bill is really a double-edged sword because what it does is leave all those important matters that I talked about, fairness and accessibility, unresolved. Second, it puts in place a supposed no-fault system that really has some horrible flaws and that is really going to strike badly and harshly at a large number of people in this province.

I want to spend some time going through what, in my opinion, are some of the major flaws of the legislation presented before us today.

The first of the flaws concerns the levels of benefits. I do not doubt for an instant that \$450 is a heck of a lot better than the measly and grossly unjust \$180 we saw under the old schedule. There is no doubt of that in my mind, but anything would look good after \$180 a week because that was certainly far below the poverty line in this province.

But the \$450 maximum that is contained in this particular schedule, that is, the schedule under Bill 68, is not a whole heck of a lot better when you realistically look at the cost of living in major urban centres in this province, when you start to take a look at the cost of food and lodging and you start to all roll that in. It is pretty difficult to ask people in major urban centres to live below the poverty line and try to feed their two kids and their wife.

The thing that surprises me is that the government has not moved forward—it would have been a positive step—to provide actual income replacement; that is, to cover your actual losses so that the standard of living you were accustomed to and the bills you had, your mortgage, your car, etc, could still be paid without putting your financial security, your house and everything else in jeopardy.

It would have been a positive step had this government moved to that. It would have been even a little bit better if the government might have moved to the schedule that was most recently put in place under Bill 162. It is a horrible, ugly little piece of legislation as well, but the one positive aspect of it was that at least there was some sense there that people could not live on \$480 a week and that you had to come a little closer and be a little more realistic about their actual losses and what they had to face in the outside world in terms of bills and the cost of living and everything else.

Even in that bill this government had enough sense to move to a \$40,000 limit so that would increase the weekly amount of benefits, and then to a limit or a maximum that is a certain percentage of the average industrial wage.

In any event, the point is the \$450 that we see here as the maximum is actually what the Ministry of Labour moved away from in another piece of legislation that compensates workers who are disabled, albeit at work, but certainly that compensates.

Mr Kormos: On a point of order, Mr Speaker: I am sorry, the member for Sudbury East, and my

apologies, Mr Speaker, but would a quorum not be nice? Lord knows, there are enough Liberals.

The Acting Speaker (Mr Cureatz) ordered the bells rung.

1642

The Acting Speaker (Mr Cureatz): I am advised a quorum is present now.

Miss Martel: Let me get back to this question of benefits. I refer members back to some of the benefit levels we have already in place for people who are suffering from disabilities, albeit at work. The important point to note is, why are we going to penalize people because they are hurt away from work? They suffer the same loss of income. They suffer the same kind of damage, permanent or otherwise. They suffer the same financial loss and yet we could not in this particular piece of legislation even move forward to a level that we would have found acceptable for people who are hurt at work.

I quite frankly find the difference or the discrimination between people who are hurt at work and people who are going to be hurt in car accidents, and the levels of benefits we as a society are going to provide them with to be grossly unfair and unjust and certainly—the bottom line—discriminatory.

I think it would have made far more sense for some of the members of this cabinet, particularly the Minister of Financial Institutions, to perhaps go back and look at what his colleague the Minister of Labour had to say around the whole question of income replacement and what was fair and what was not, and how profoundly he spoke about the need to increase those levels so that people would not be living in poverty even if they were hurt, so that when they were hurt they could expect that they would retain, as much as possible, the level of quality of life they had beforehand and would not be forced to sell their house, their car and everything else they owned to make ends meet.

I surely say to the minister that when this goes into public hearings, he should take a good look at what the realities are around this province. He should take a good look at what he is asking people to live on, with \$450 maximum a week, especially in Metropolitan Toronto, especially in major urban centres.

If we would not ask injured workers of this province to do the same thing, why would we ask it people who are going to be hurt through no fault of their own across the province because they are so unfortunate as to be caught in an auto accident instead of being hurt at work.

I think it has to be clearly pointed out that we should not be asking one group in society to have anything less than another when both are disabled, both have families to provide for, both have houses they would probably like to keep and both should be guaranteed by the system that is in place that if they get hurt, they will have enough money to continue on. I think this minister has to take a serious look at that whole question of benefit levels.

Second, around the question of benefit levels is the far broader question of indexation of those benefits. We have not had a change in the benefit levels in this province since 1978. Those benefit levels that are in place now under the present auto insurance scheme are \$180. Year after year, they have never been increased and prorated to the rate of inflation in this province. Because that was such a big part of the problem of why those benefits were so bloody inadequate at the end, one would think that the government would logically turn around and decide, "Yes, it is about time we indexed the benefits."

If, in my mind, the benefits are not adequate enough as they are, and they certainly are not, the least we could have done is to have indexed them, so that as costs rise in this province, people will necessarily expect that so too will have their benefit levels tied to the rate of inflation.

It is not only me who has suggested that. I go back to Mr Justice Osborne's report presented in February 1988. He said the same. He pointed out how unjust the situation was going to become again if the government put benefit levels in place, but provided no mechanism for their increase on a rate that was tied to the rate of inflation in this province.

I suggest to the minister—his parliamentary assistant is here—that when they go through the public hearings, they should take a serious look at that. We moved four years ago to index benefits in terms of workers' compensation. There was a disability scheme set in place, albeit for workers hurt at work in this province. We saw the justice then of indexing those benefits and we certainly should be looking at this seriously now.

Third is the whole flaw around the need to have employer-paid benefits used before an individual can actually claim no-fault benefits. The bill demands that victims of auto insurance accidents, if they are hurt and if they have plans that are already provided by their employer, go to the employer first. I say to the minister, why would we be shifting that kind of burden back on to the victim, back on to his own plan, back on to the sick days he has accumulated? Why would

we be shifting that burden instead of obliging it goes. So what is permanent? What is a serious that is what we pay premiums for.

Why should we turn around, go back and have to hold responsible my sick days if I am a teacher? My mother is one? Why should she have to use up all her sick days if she gets hurt in an auto accident when she pays premiums in this province to have that kind of coverage? What are we paying premiums for? What are we paying such high premiums for if we cannot expect any kind of coverage when we get hurt? Why is it right to ask teachers or union members or all those groups that have that kind of coverage in place to go back, drain it all and then if you are still off, go and see your friendly auto insurance broker? There is something wrong about that. There is something horribly unfair. There is something that is just totally stupid in my mind in expecting and requiring people to do that.

Look at the example I gave of my mother the teacher who has banked 40 days, for example, of sick time, and my mother the teacher gets hurt. Because she has an employer-paid plan, she has to go and drain all that away. She may not have a permanent injury and will go back to work within four months, three months, two months even, but in the meantime she has drained all of that sick time. She starts to accumulate again, but requires surgery next year and is going to be off for three weeks, four weeks or five weeks. She will not be reimbursed for any of that. She will have no sick days to draw from.

I point out again, why are we telling people to do that? Surely the auto insurance industry has the new commission will have broad powers of beyond gouging us in the back, taking us to the cleaners, making millions of dollars and being beholden to no one.

This whole question of the need to use other benefits first, whether it be workers' compensation or employer-paid benefits, that whole requirement in this bill to force everyone to shop somewhere else, if you are fortunate enough to have another plan, is really incomprehensible to me. If we have any sense of fairness, surely we are not going to require people to have that burden shifted somewhere else when that burden should be back on the insurers of this province. They should be picking up the shot. They should be paying for it. It is about time, when we go into hearings, that they be forced to do so.

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Associated with that problem comes another one, because not only will there be groups of people who are going to be forced to go back and

rely on their own plans first, but there will be a whole group of people out there who, when they go and shop for insurance, are going to have that hanging over their heads.

If, in fact, you are not fortunate enough to have an employer plan, you are not fortunate enough to be able to draw on that if you have to, you can bet your bottom dollar that any insurance broker is going to look at that and say: "We do not want to touch you. We do not want to have to pay out. We would rather insure people who have a benefit plan somewhere else; we can tell them to go to that benefit plan and suck it dry before they come to us. We would rather do that. We do not want to insure you."

What is going to happen is brokers in this province setting up the categories of high-risk people, people who do not have, normally, plans somewhere else from their employer, and they are going to start to find all kinds of excuses why they cannot provide auto insurance to those people.

Mr Speaker, you do not have to listen to me and you do not have to take my word for it, but let me tell you whose word we do have to take in this regard. What I am going to read to you comes, actually, from the Facility Association and the general manager. He said exactly the same thing I am trying to get across today; that, in fact, when you put this kind of proviso in, what you are going to do to insurance companies is to allow them free rein, to allow them to go out and give all kinds of excuses to not insure people because they do not have these plans, because, in fact, it would be far easier for them to suck another plan dry than to actually have to come back to the auto insurance industries and request some no-fault benefits.

What Mr McKay said—and I think it is really important around this particular discussion—was this: "The increase in no-fault benefits will create a new class of borderline risks, and if the legislation proceeds as it is presently drafted, it is likely that underwriters will use avoidance tactics on such classes as seasonal workers, small self-employed contractors, unskilled labourers, workers in the hospital sector and a host of similar occupants. Occupational underwriting will be the watchword and the Facility Association will be the recipient of those who do not meet underwriter guidelines."

Mr Speaker, there you have it. What more can you ask for from someone who surely is in the know about what is going to happen in this industry if this particular bill passes with those kinds of provisions intact? Surely we cannot

expect that, given the problems we already have in trying to provide accessibility and affordability and fairness in the system, to put in place a bill which in effect makes it even more unfair to people and gives the insurance industry even more reasons to cut out people, to try and force them into the Facility Association, surely this is not the time to be moving to that kind of scheme?

Certainly, if it is the opinion of someone of Mr McKay's calibre, who has, I would suggest, watched the insurance industry for many years now, that this is the kind of thing we are going to produce, when you say to people you have to use up your employer benefits first, then surely he must have something there. It is imperative that the minister and the Liberal members on that particular committee take a look at that and take a look at his expertise and what he has to say. He is not yelling in the wind for nothing. He is not paid to do that; he does not have to do that.

But there is a point that has to be made there, and if you are going to try and make the system a little fairer, then you cannot allow for mealy-mouthed clauses like that, which in fact are going to penalize people even further.

Fourthly, I want to talk about the long-term benefits. That is found in section 8 of the draft regulations which are associated with this bill. There is a particular problem in terms of long-term care costs, and that is around the monetary limits.

Members will recognize that in fact there is a limit of \$1,500 a month or residential care, whichever is the lesser, if you have to have long-term care due to the nature and degree of your injury. I have to wonder if this government has any idea about the cost of health care in this system in view of what it is asking people to accept in terms of health care costs. It is beyond belief, it seems to me, that the minister would expect that for a person who is now a paraplegic as a result of an accident, who has suffered a head injury, for example, who wants to be looked after at home, and the means are there to provide care at home, can by the same token be expected to get the kind of quality care required for \$1,500 a month.

Just work it out. If you are looking at care over a monthly basis, 40 hours a week, you are going to have all of \$8.65 to offer someone to provide the kind of professional care you are going to need at home. If you try and spread that out over seven days—because if you are that disabled, surely you are going to need care on a long-term basis over the long haul, which is seven days a week, at least eight hours a day—that kind of care

is going to cost you \$6.18 an hour, seven days a week, eight hours a day.

Where, realistically, logically, can you purchase that kind of care for those kinds of bucks?

I say to members, what are the minister and the government going to do? Because people are going to be unable to purchase that kind of care and they are going to be unable to supplement that \$1,500 because the benefits for their loss of income are so low, those people are going to have no choice but to be institutionalized. They are going to have no choice but to move in there because they are not going to be able to afford the kind of quality care that they require and they are not going to be able to supplement that \$1,500 to provide that kind of care and stay at home.

Surely, in this day and age when we have the Minister of Community and Social Services (Mr Beer) and the Minister of Health (Mrs Caplan) promoting care in the community, this works backwards. This is absolutely contrary to the kind of system and the kind of care we are trying to set up in this province and it certainly is contrary to the kind of care necessary that we saw as northerners when we went about this province on the health care tour.

If we are talking about institutionalizing people in northwestern Ontario, they go out of every community in northwestern Ontario and they have to go to Thunder Bay. I do not think that is the kind of vision we have. It is certainly not the kind of rhetoric we have heard from both of those ministers around community care, but if they keep this kind of provision in with those kinds of very minimum benefits allowed for health care, they are going to force no other choice upon people but that; that is, to go into institutions.

As the committee goes through its hearings, it should also take a good, hard look at what the cost of care is. I know this government is not paying much for home care workers, but still, even that is not going to cover the kind of care and the kind of needs that have to be purchased in order to ensure that people can stay at home. I would suggest to those members on the committee that they take a good, hard look at some of the monetary limits they are setting on people because when they try to talk about community care they are not providing the financial and monetary mechanism to make it work.

First, I want to talk about the government handouts to industry in this particular bill, and there are a couple of areas. It is bad enough that as a society we feel we are being gouged. When we look at this particular bill and see what is

happening, we have to really wonder how the government could ever say with any kind of truthfulness that it was intent on reducing rates and providing fair and accessible auto insurance.

Members should just take a look at the handouts to their friends on Bay Street. The government is removing the three per cent premium tax paid by industry this year. Merry Christmas. What a break.

Mr Kormos: How much?

Miss Martel: I do not know how much. The total subsidy is \$143 million. I am just getting to the total subsidy.

But we are looking at a three per cent tax, when the rest of us are being taxed to death in this province and they are getting a tax holiday, and we have to wonder who this government is supporting. It is surely not the consumer on the street who is watching the rate increases go up and up or the consumers who are expecting another eight per cent increase when this bill is passed; and if it not passed before December, they are going to get it anyway.

There is another handout around the area of cancellation of the annual payments which are made to OHIP by the insurance industry to cover the cost of medical treatment. Of course that cost is being removed because of the new employer health levy which we have seen implemented in this province. Again, that represents a significant part of the cost that we consumers pay as premiums.

I am watching that money as someone who has to buy auto insurance in order to drive in this province, that money that should have gone into medical care—which I agree with—now going into the pockets of the industry and I have to ask: Do they not have enough in their pockets now? When is the gouging going to stop? Why the write-off? Why the break? Why the Christmas presents?

Surely if the government was going to come good on some of its promises around reducing rates, it could have said to its friends in the auto insurance industry, "Given that you don't have to pay these kinds of costs now into the health care system, surely it is about time that you reduce rates for those people you provide coverage for." Surely, since a big portion of that premium they pay goes into health care costs and now that is removed, they have every obligation to turn around and rebate some of those people, lower the rates, make the system more fair. But that is not going to happen because this whole thing, as my colleague the member for Welland-Thorold has said, has been written by the auto insurance

industry and it sure knows how to find a buck and make a buck.

In the same way of helping the auto insurance industry, I want to take a look at what the effect is going to be on the Workers' Compensation Board. This is a bit of a different twist, which I do not think has been raised by anyone in this House, but certainly the impact this bill is going to have on the WCB and premiums and, in the end, workers' benefits and rights is going to be fairly dramatic.

I would like to take a moment just to explain this to members of the House, hoping that once it is on record the minister will take a good look at this problem. I know the board has also done a letter on this. I have not been able to get a copy of it. But certainly, the ramifications of this bill on the board and hence, on workers, is going to be quite significant.

1700

Right now an injured worker who is hurt in an auto accident in this province is left with two choices, providing that when he was hurt he was in the course of his employment. Let me give an example. We have a salesman who was going to a residence on an appointment, perhaps trying to sell life insurance. While he was in the course of his employment, while he was driving over there, he, of course, was covered under workers' compensation. What can happen if he is hit, for example, by a Mack truck, is that he has the right either to claim workers' compensation benefits or he has the right to elect to sue and not claim benefits. Those are the options a worker has under a particular section of the act if, in fact, he is hit by a third party.

What happens is this. The WCB provides the two options. First, the worker decides to claim compensation benefits. The worker can still get his benefits, but the Workers' Compensation Board also has the option, if it thinks the particular case at hand is a good case and it could get a settlement for that particular worker, whereby legal staff at the board will take that case to court and it will sue on behalf of the injured worker. If it gets a settlement which is higher than the amount of compensation paid to the worker, then the board will do two things. First, it will take some of that money and replace the costs it has paid out to the worker. Second, if there is any difference—a surplus, in this case, this is what it is called—that surplus will also be paid to the worker, so he will get compensation and any extra money that is left as a result of the settlement in courts.

The other thing that can happen is the injured worker himself can decide to sue. In this case, he or she does not claim compensation but decides to take his or her case directly to court. If that injured worker gets less money through a settlement in court than he or she would have received through compensation, that worker is also entitled to go back to the board and asked to make up the difference with compensation benefits. This is providing that there has been a bit of an agreement reached or some discussions with the board beforehand.

But the worker has the choice. If he gets less, he can go back to the board and the board can supplement, make up the difference, using compensation benefits, between what he got through a settlement and what he should have got under compensation.

So those are the two choices. Let me tell members what the problem is when we look at Bill 68. The bill removes the right to sue unless the victim suffers some serious bodily injury or unless death has occurred. The WCB, where it previously would have gone to court on a good case, to fight in order to recover its costs and to make a payout to the worker, cannot now do this.

Second, the injured worker, who at first had a right to claim benefits or had a right to sue, now has that right taken away from him as well if he does not suffer serious bodily injury or death. He will now, of necessity, have no choice but to claim compensation benefits.

Third, under many insurance claims, the worker cannot claim no-fault benefits in any event. If there is an option that he can claim workers' compensation, he has to do this. Now you have the three problems. But, in fact, because the board can no longer go in and sue and recover, and the worker can no longer go in, sue and pay for his own way, they are going to have a heck of a lot more people out there who are going to be having no other choice than to receive compensation benefits.

That is going to cause a tremendous problem for the board, because the board is going to have to make the payouts for the employers who are going to see their rates increase and, by God, when the employers see their rates increase they come here howling, howling to the Minister of Labour (Mr Phillips), howling to Dr Elgie at the Workers' Compensation Board, and you can bet your bottom dollar that what the board will do next is try to look for new and innovative ways to try to reduce workers' compensation benefits. For those of us who thought Bill 162 was bad, it is going to be a tea party compared to what we are

going to see if this particular piece of legislation goes through.

The parliamentary assistant was asking me how many cases, so I want to go through with him some correspondence I received from a law firm by the name of Ross and McBride. I can certainly give him a copy of this if he does not have it. Using information supplied to them from the Workers' Compensation Board, they went through what this was going to mean in terms of actual dollars.

I do not want to go through all of the figures. I can certainly send a copy to the parliamentary assistant, and I will do that.

Their summation was this, though: "Under the proposed legislation, there will be no ability by the worker to elect accepting catastrophic injury cases. The reason is that no-fault benefits will not be available whenever workers' compensation benefits are available. The result is that virtually all of the workers who either elect private civil action or elect workers' compensation and have the board commence action on their behalf will be forced to accept workers' compensation. The board will not have any subrogated claim for the workers' compensation payments made."

The amount of money that they have stated, based on the cases and the figures they obtained from the Workers' Compensation Board, equals some \$59.3 million. That \$59.3 million, which, before, the board would have picked up from the auto insurance industry—it will not be allowed to pick it up any more. That is going to mean a big break, certainly, for the auto insurance industry. You would think that would necessarily mean a reduction in our premiums, but, of course, it will not. What I am far more concerned about, given that I am the critic, is that this is going to mean some real hardships for workers, because if the Workers' Compensation Board has to dig up \$59.3 million from somewhere, you can bet your bottom dollars when the employers get through with it and get through with their howling, it is going to come back to workers and the board is going to find new and innovative ways to cut people off, reduce benefits, reduce rights and on and on.

I say to the minister, I will certainly give him a copy of this, but I hope the board gets in touch with him as well, because I can tell him, there is going to be an awful lot of agony and heartache if this particular provision goes through. That is the kind of thing that is going to affect the board and, ultimately, injured workers in the province.

Finally, I guess the most important part of this whole question for me is what the bill does not

do. I go back to the three points that I made early on when we talked about the crisis in auto insurance in this province and how I had hoped in 1987, when the former Minister of Financial Institutions got up and talked about auto insurance, that this government was finally moving to resolve it. Those questions are key, and they really are the question of accessibility, the question of affordability and the question of fairness.

The bill does not provide any of those things. If we look at affordability, we all know that in urban areas, at least, we are going to expect an eight per cent increase. Come hell or high water, if this bill is not passed by December, on 1 January we are going to have another eight per cent rate increase on top of the 7.6, 4.5, 4.5 that we have had since the cap went on in 1987.

If members wonder why people are cynical, they should just take a look. The government cannot make promises and then start slapping these kinds of increases on people. It cannot justify it. Certainly, in the minds of the public out there, I know that people who are calling my office are saying: "What is this? We were told, three days before an election, by a Premier we thought was serious that he had a specific plan. There is no plan here. All that we know is, every time we get billed by the insurance company, it goes up and up and up and there is no end in sight."

It is difficult for me when I look at this particular piece of legislation and recognize the breaks that are given to the insurance industry—and I have already outlined them—to see that, by the same token, we cannot even expect that the government can say: "We are holding the line. There will be no increase. We will not have an increase, because we had one of 7.6 several months earlier. We are going to toe the line on this piece of legislation and we are going to recognize that, given all the breaks that were given to the auto insurance industry, surely, it is about time they lower some of their rates and stop gouging the public."

That does not happen in this bill. It does not provide any better accessibility to auto insurance in the province. It is beyond me why, as drivers, we are required by law to have auto insurance and can be charged if we do not, and then the auto insurance industry does not have to provide auto insurance and can put up all kinds of barriers and blockades and everything else and give all kinds of reasons why it does not have to provide it and why you should go, as a citizen of this province, down to the Facility Association and pay rates

that are three and four times higher than you should be expected to pay.

Truly, it is about time this government said to the insurance industry: "Hold on guys, the party is soon to be over. If we expect the good citizens of the province of Ontario to have insurance, then we expect you to provide it. We don't care what kind of whining and moaning and gnashing of teeth you come up with; you're going to start to provide accessible, affordable insurance to people," because, by law, they have to have it; surely, by law, insurance companies should have to provide it.

I know the cases that were raised in here this afternoon by my colleague the member for Etobicoke-Rexdale. I have just a wonderful case of a man who was with the same insurance company for 17.5 years. He paid a premium of \$235. He had two windshield claims and an accident in 1975. They decided after the second windshield claim, which was about a year and a half ago, that they would jack his rate up to some \$502 from \$235. Now, luckily enough for him, he was not asked to go somewhere else, as in the examples that were given by my colleague, but surely that is not accessible, that is not affordable and it certainly is not fair.

1710

Finally, around the question of fairness, many of those problems that my former colleague from Welland-Thorold raised in this House, problems around discrimination, problems around families who could not get insurance because they had one young driver who was a bad driver—all those questions of fairness are not resolved in this legislation.

It may be that the minister, in the other two companion bills which are coming, will resolve some of those questions, but I will say that they certainly are not resolved here. After some two and a half or three years of these problems being raised again and again in this House, it is about time the government moved to do something about them, but that does not appear in this legislation, and people are not going to expect the system to become any fairer.

For those kinds of reasons—the fact that the bill does not do anything about affordability or accessibility or fairness, and the fact that our rates are going to be increased yet again, contrary to a Liberal government promise three days before the last election—I really cannot support this bill, Mr Speaker. I look forward to the public hearings on this particular piece of legislation, and I thank you for allowing me to participate today.

Mr Kormos: The member for Sudbury East talks about the pig campaign and none of us will every forget that. It cost drivers in Ontario hundreds of thousands of dollars, because where do members think the auto insurance industry got the money to advertise all those little pigs?

Some of us play with our kids—"this little piggy went to market; this little piggy went home." These little piggies came to Queen's Park and formed the Liberal government and, boy, are they quick to get to the trough. I mean, they had no hesitation taking the over \$100,000 from the auto insurance industry in 1987. Boy, oh, boy, these little piggies stuffed their pockets with that money so fast. There was no hesitation in takings tens and hundreds of thousands of dollars from Patti Starr.

Boy, these little piggies stuffed their pockets as much as their pockets could hold and then they put more in their back pockets and held it in their hands until it was falling out. And they do not stop at that. I mean, these little piggies will spend \$6,300 of taxpayers' money on Christmas parties, and these little piggies will take \$143 million of taxpayers' money and give it to the auto insurance industry in the first year alone. These little piggies are lined up at the trough, and it is crowded there, but there is always room for one more friend, one more pal, one more buddy.

The auto insurance industry is a good buddy of this government. They are close. They are—need I say?—intimate. So we have insurance legislation here that is written by the auto insurance industry, that is designed to make it an additional \$650 million in the first year alone. That is obscene, because that \$650 million that these little piggies are stealing is from the drivers and taxpayers of Ontario. That is obscene, Mr Speaker.

Mr J. B. Nixon: I am looking forward to the committee hearings on this bill, because I think we will spend a lot of time just getting at the truth about what this bill is all about. The problem I have with the speech of the member for Sudbury East is that she deals with a lot of situations which just do not have any bearing on reality.

She says, for instance, that injured victims will be obliged to take their sick days before they are entitled to benefits under the automobile insurance policy. Not true. Members should look at section 231b.

She says that quadriplegics will be restricted to \$500,000 in long-term disability payments. Not true. They will definitely be over the threshold and entitled to sue for an unlimited amount.

She says that the excluded-driver provision that the member for Welland-Thorold was after is not dealt with in the bill. The excluded-driver provision that we wanted in legislation is in that legislation, and if the member for Welland-Thorold were here, he would say: "Yes, you're right. The Liberal government is doing the right thing."

I will tell members the problem I have with the delivery of the speech from the member for Sudbury East is that we are dealing with—I cannot say it—things that are said that just are not so. We are dealing with things that are more akin to her ideology than any fact or piece of legislation that is before this Legislature. So I am looking forward to—

Mr Kormos: Mr Speaker, a point of order.

The Acting Speaker: Be brief.

Mr Kormos: Yes, I will. The member is grossly misinformed and should familiarize himself with the legislation.

Mr Ballinger: That's not a point of order.

Hon Mr Sweeney: That's not a point of order. Sit down.

The Acting Speaker: Order, order. I agree with the honourable members. It is not a point of order.

Mr J. B. Nixon: My point simply is that the member for Sudbury East and the member for Welland-Thorold are spewing utter garbage into this House. It is rhetoric totally misrepresenting what is in the bill, that is all.

Mr Haggerty: Following the comments made by the member for Sudbury East and the member for Welland-Thorold, I want to bring something to the attention to the Legislature that has been overlooked, and that is the matter of questioning and looking at legal cost.

I have a document before me of Moll versus Robertson and the disbursement of account. There was a settlement before the Supreme Court of Ontario for \$95,000, and the legal fees were \$85,000-plus. By the time they paid for all the professional services such as doctors' reports and the other ones, the witnesses before the Supreme Court, they ended up with nil.

I think the intent of this bill, Bill 68, will correct some of the unjust costs to the injured person, such as that of the solicitors who charged them such an account. I bring this to the attention of the Legislature. I think this bill will reduce some of the legal costs.

You still have the right to sue under this new bill, particularly in what you might say are more serious cases of injuries due to automobile

accidents, but I must remind the Legislature that there is another cost here and it is the legal costs. That has been overlooked. I know the member for Welland-Thorold has no particular interest in this area, but he does make comments on fair insurance.

Mr Ferraro: I wish to thank the member for Sudbury East for her comments, particularly in regard to some of the facts and figures that she indicated pertaining to the Workers' Compensation Board. Admittedly, while the minister and, I am sure, the staff have undertaken to study that matter, I might say personally that I have been only briefly involved in that particular relationship. So the facts and figures indicated by the member will indeed be something that I personally will look at in greater detail.

First, I want to reiterate what my friend previously said in that regard. In the cases of serious and permanent injury, the WCB still has the option of taking the matter to court on behalf of the injured worker. Second, I wish to say that in those cases where there is not serious or permanent injury, it is precisely for that reason that the Ontario government has increased, from \$25,000 to \$1 million, the amount of supplementary medical care and rehabilitation and long-term care.

This government fully believes that, along with having access to the WCB, in those particular cases where there is no lawsuit, it is important to get that individual back into the mainstream of life and back into the workforce, because it is a proven fact that the vast majority of accidents in the province, the vast majority of the 203,000 accidents that we have, for the latest year, 1987-88, are caused by a moment's inattention, not by criminal negligence. In that regard, we want that individual to get back into the mainstream of life and, at the same time, keep premiums at a reasonable level for the rest of the six million insured.

1720

Miss Martel: Let me thank the member for Guelph (Mr Ferraro) for his comments. I will certainly pass on to him some of the figures I have been given, which were provided to us by a legal firm. We have tried to confirm some of those figures with the Workers' Compensation Board and have not been able to up to this point in time alone.

It is too bad that, as usual, the member for York Mills (Mr J. B. Nixon) has made his comments and then rushed away. It would be nice if he would stick around and participate in the debate for a change and present his evidence

and the facts that he knows, since he has gotten up and made some comments that I do not know what I am talking about. He has yet to participate in this debate, he has yet to go through clause-by-clause on this, he has yet to talk about it. He seems to do that on a fairly regular basis, which is really unfortunate. I come to this House to participate. I am willing to take some heat, but I find it too bad that he had to run away as soon as he made some comments.

Interjections.

The Deputy Speaker: Order, please.

Miss Martel: If I had been getting extremely philosophical, or whatever the word was that he used in terms of what my party's belief is on this, I would have spent the entire time talking about government-owned auto insurance. Members who were here will recall quite clearly that I said not a word about government auto insurance.

I talked a great deal about the promises made by this Liberal government and by the Premier of this province before the last election when it was convenient for him to make all kinds of outlandish promises in order to get elected and how this government has yet to deliver. Then I spent a great deal of time talking about the problems I saw with this bill and why in fact I could not possibly support it, both because of the contents and because it does not provide for some real concerns I have, those concerns of accessibility, affordability and fairness.

If I wanted to get into all the rhetoric that was best portrayed by the former member for Welland-Thorold when he talked on this issue, I certainly could have, but I restricted myself to my knowledge of the facts and what I feel needs to be changed in this particular bill if it is going to be half decent. We will not be supporting it anyway because it certainly does not address those concerns that I think consumers are most worried about in this province.

Mrs Cunningham: I am pleased to be able participate in the discussions this afternoon around the proposed Ontario motorist protection plan legislation. I guess I am speaking as I did in the past, having tried to get answers to some questions, with a fair amount of concern about the legislation, especially with the interpretation of the legislation, on behalf of those members of the public who have written to me trying to get exact answers to their questions.

I will be very much looking forward to the public hearings on this legislation because almost everyone who has raised concerns, whether they be the members of the opposition represented here over the past few weeks or some members of

the Liberal government, would think that there still are questions that should be answered and improvements that can be made to this legislation which will be very much important to fairness when it comes to doing business in Ontario.

I say that quite bluntly because most consumers go into the insurance companies and purchase insurance and are usually pretty clear as to what their benefits can be and will be. One thing that no one is ever clear about or would ever truly expect is that disabling accidents can happen to them or to members of their family. Therefore, I think it is incumbent upon us to be very clear about the legislation and what it really means. During the hearings I intend to ask the government questions about the materials it has put out so far because I think they are misleading and I think they need to be clarified, and of course we can improve upon them.

I am wondering just why we have gone to the expense, though, of preparing these documents when in fact we do not have legislation at this point in time. It should be a guide with questions and answers that all of us can benefit from rather than facts about issues that are not clear to the public.

The Premier promised a very specific plan to lower insurance rates in the last election, and I think that the question all of us have now is, could they honestly have been lowered, given the work of the commissions that this government asked to look at the insurance challenge? I think we have been told that probably, with the expectations of the public, the rates could not have been lowered. We certainly have been advised by Mr Justice Osborne that with this new plan they will not be lowered. I think for most of us we would be very surprised if they could be. If they are, I think the question the public should be asking is, at what cost?

I think the costs that have been brought out in examples before this House in the last little while are rather significant because the costs are really to the innocent victims of automobile accidents. It is only at the expense of the victims and their families that we could lower the premiums. I think members of the public, if they clearly understood what the benefits were and what they will not be in the future, would be more willing to take a second look at any changes in this legislation as it effects the remuneration and benefits that they thought they purchased when they bought their insurance policies.

I should say from the very beginning that I am very much aware that there were some problems with the existing legislation and I would have

guessed that we would have been looking for honest and fair ways to solve those problems. It is true that insurance companies do get some silly claims and some trivial matters that cost them a lot, but there are a lot of legitimate claims as well. In fact, the majority, I am sure, of all accident claims are extremely legitimate. I guess maybe what we should be talking about is to what extent.

Osborne of course talked about reforms to the existing system and he gave us examples of where we could have been dealing with them. I think the public is asking, "What will I get from my auto insurance policy and what will it eventually cost?" I am sure that members of this government and the staff have not looked into this question, what will insurance eventually cost? If they want to do their homework, they can get the answer to that question before the public hearings because those of us who are involved will definitely be asking the question.

Will people be able to get insurance? Certainly this is mandatory. In a free enterprise system there may be some people who will not be able to get insurance, and that means they will not be able to drive a car. Has that question been looked at in great detail? Does this new Ontario motorist protection plan look into that question? I did not see anybody dealing with it. Yet that is a real issue of everyday life. No one is talking about that.

What about pain and suffering? It lasts a lifetime and cuts down on the quality of family life and individual life. It does deserve compensation and yet it has been ignored. It must be revisited.

Why are the Liberals or this government going ahead with the no-fault plan as put in this format? I hope that the idea that they have bought into—open public committee hearings—will mean that they will not go into this plan blindly because truly most of us, in fact all of us, have received much communication from the public. We have numbers of letters, probably hundreds of letters. I know I do and I know that they were also sent to my colleagues who represent London, the Premier, the member for London South (Mrs E. J. Smith) and certainly the member for Middlesex (Mr Reycraft), because I have been copies of those letters and I am sure they have been given copies of the letters that were sent to me.

I feel that this no-fault insurance plan, as presented, is extremely arbitrary. Why does someone need severe disfigurement, whatever that is, or a lasting physical disability to be able to sue? The question is, what about lasting mental

damage and what about psychological trauma, the kind of damage that does not allow one ever to take a job or to continue on with his work? It has not been dealt with. It is my understanding that it is being considered and I hope it is being considered seriously.

1730

What about a family whose father or mother, son or daughter, brother or sister, husband or wife will never be the same person that he or she once was? They certainly deserve more than \$450 per week if that is what they were earning at the time of their accident or if that was their potential if they are a young person.

I suppose my final question is, is this government listening to the people? I will reserve judgement on that. I have been on committees where they did listen to the people. I was quite surprised, and I certainly commend them for it. Everyone will know that was the welfare reform, as it was referred to, and that we are looking at the implementation of stage one. Those of us who were heavily involved will be looking at that report for further implementation.

I have, however, also been on committees where the government has totally ignored the wishes of—and, more important, the suggestions for improvement by—the public. I am wondering right now, once the implications of this legislation are put before the public in a very positive, hopefully honest way, so that its questions can be answered, what the public response will be and what the government will do with that.

The question I get most often in the letters that are sent to me—and we have certainly documented the questions—is, why should everyone pay for bad drivers? Why does their insurance not pay for all the damage, pain and loss the irresponsible driver causes? Income replacement and pain and suffering are the other two questions that the public asks me most frequently.

There is a compendium to the documentation that was sent out. It talks about the bill itself and how it establishes a new mandatory insurance policy. Really and truly, "mandatory" means if you can afford to pay for the insurance then you can drive a car. I think the government ought to be very careful when it talks about "mandatory." It does not mean that everybody can continue life as it is. Nobody can tell me what it means. I have no idea what the rates will be. If you cannot afford it, you cannot drive. Maybe there is nothing wrong with that, but it does not mean that everybody gets to drive a car. If the insurance rates are increased significantly—and they may be, because we know that no-fault does not

reduce—perhaps there will be more people not able to drive cars.

It “provides no-fault benefits in the form of supplementary medical, rehabilitation, long-term care and income replacement benefits and maintains the ability to sue in case of serious injury or death.” That is quite a substantive paragraph. I should tell members that right now insurance companies pay very little of the medical costs of people who are injured in automobile accidents. Even when people go to court, there are very few instances. Only very few insurance companies are able to pay out on medical claims.

A few years ago—and I do not know the date, but I will find out—there was a deal made with the government of Ontario. Certain insurance companies were party to that particular agreement. If you have an insurance policy with any one of those companies, you can be assured that really right now the public is paying for the medical attention that is given to people who sue or do not sue for rehabilitation and care in hospitals across this province. So right now a very substantive portion of the costs of an automobile accident is already paid by the public.

I should also tell members of the House, if they are not aware, that right at this time a great part of the cost of the rehabilitation of young people and older people is paid for by the government of Ontario. The insurance companies are not paying for the rehabilitation in certain institutions across this province. I dare say I could be corrected. I would say in a vast majority of institutions across this province the public is paying now. So to make people think that some insurance company is going to pay, where the public is already providing those rehabilitation services, is clearly incorrect.

The other thing I would like to say, when we talk about long-term care, the public are also paying for long-term care now, even when people sue. The only persons who get long-term care in a settlement right now are people who can pay for workers in their own homes. Otherwise, if the government does not go after that claim, they do not get the money, and I am advised that very few times does the government ever go after it and in very few institutions will the insurance company ever have to pay. That is the way things are now.

I should tell you also, Mr Speaker, that these are really promises that have to be made very clear to the public, and what it means to the province of Ontario. Because right now we are paying a substantive portion of health care,

health support, hospital care, rehabilitation surgery, and I know whereof I speak. There is no way insurance companies’ OHIP payments are asked for in claims; there in fact was an agreement with the province.

At any time that I am making incorrect statements, I would be happy to be corrected and look into them further. The only reason I do not feel particularly sensitive about that issue is that I too am looking forward to the public hearings so I can get my questions answered, because it has not been easy to get responses from the government in order to respond to our letters at this point in time.

I should go on to tell you, Mr Speaker, that in this same compendium they talk about “maintains the ability to sue in cases of serious injury or death.” I just have to say that it is going to have to be awfully serious before anybody can sue. There is going to be an awful lot of people involved in the question as to whether somebody can sue, and I can tell you that the medical profession better start training lawyers as well, because the only people who will be asked for evidence are physicians because somebody has to decide what a serious injury is.

I have here a letter from the Ontario Head Injury Association, which says: “As you know, there is an increasing groundswell of opposition on the issue of the government’s no-fault auto insurance as proposed in Bill 68. Rightly so.” I know that the government is working with this association. I commend them for it, and I hope that we will get significant amendments to this bill before it goes before the public hearings.

“The Ontario Head Injury Association is an organization which represents a very high proportion of present and future users of third-party auto insurance. We are appalled at the restrictions that will preclude access for future head injury victims to insurance money”—and I know the government is just as concerned about this. “This action most definitely will restrict those people who sustain a head injury from recapturing the quality of life that they enjoyed before their accident.

“People purchase insurance to assist them to recapture a portion of what has been ‘taken away,’ not to ensure bottom-line profits for insurance company shareholders.” That is what our greatest concern ought to be, and no one has made that clear.

I am being urged to make certain that the government grant full public hearings on this piece of legislation and I was happy to respond to that particular letter and to inform the group that

there will in fact be public hearings, hopefully important ones.

The headlines speak for themselves. These are all experts who have been making speeches or passing observations on the different portions of that bill, and the headlines speak for themselves: "Innocent Victims Will Be Losers Critics of No-Fault Insurance Say." "New Plan Vicious Mean Seminar for Lawyers Told." "Ontario's No-Fault Insurance Barbaric Says Michigan Lawyer."

So many times I had heard about this Michigan plan and I therefore went to the state of Michigan and travelled about, and I am happy to see the minister listening carefully because I know he will take my comments seriously and be prepared to respond to them during the public hearings.

Hon Mr Elston: If you want to be in Michigan, move to Michigan. This is an Ontario plan.

Mrs Cunningham: Mr Speaker, I have to tell you that sometimes the comments to those of us who are very seriously trying to represent the members of the public who elected us are somewhat insulting and really—

Hon Mr Elston: Well, some Michigan lawyer who says we are barbaric is not of much interest.

Mrs Cunningham: The minister is heckling that if I want to go to Michigan, I should live in Michigan. It is easy to do those kinds of things when he does not want to listen. All I am saying is I would very much appreciate it if the minister would listen to some of the work that some of us have done when we are trying to represent the public. I went to the state of Michigan and I asked questions. I visited some seven or eight institutions where people are benefiting from their insurance plan, and in fact there a lot of problems with that plan. I am sure the minister knows about it and I am sure he will respond to that and those questions.

1740

Hon Mr Elston: What about the problems with our plan?

The Deputy Speaker: Order, please.

Mrs Cunningham: Well, what about the problems with our plan? I had already spoken to that before the minister came in. There are many problems with the tort system, and we are quite willing to live with a few amendments to the present plan but not to the extent that this legislation goes. It is unfair, and I have to agree with the members of the New Democratic Party when they ask who this government is representing.

The minister is certainly not representing his constituents with this plan. I would not want to go so far to say that he may be representing insurance companies. I do not think that is true. But he had better stand up and be counted and prove it because, at this point in time, that is exactly what it looks like.

I will wait on that one. I will give them the benefit of the doubt. We had public hearings and some of us have been together in public hearings before and have been extremely disappointed at the results of those public hearings. They did not listen before except on one bill since I have been elected to this House and I am waiting for them to respond to another.

This is the Michigan plan that this government felt was so terrific at one point in time, but I gather that the minister has found fault with it as well. "Car crash victims will have to be paralysed in order to sue for damages under Ontario's proposed no-fault auto insurance scheme, says a lawyer from Michigan, which has a similar plan." If it is not similar, it is up to the government to prove it is not. I am sure as heck not going to go to all that work. You are the minister. You do your homework and be prepared to answer the questions during the public hearings.

The Deputy Speaker: Order, please.

Mrs Cunningham: "I thought our law in Michigan was barbaric, litigator Sheldon Miller told a seminar sponsored by the Advocates' Society, an association of Ontario lawyers. The threshold you are considering will take away the rights of almost everyone but quadriplegics and paraplegics."

Hon Mr Elston: That's what the Tories always do. They bring people from the States. You guys are in love with the States. Bring the people up from the States. You want us to be part of the States anyway, Dianne. Mulroney and the Tories gave us away on free trade. You just keep on doing the same thing.

The Deputy Speaker: Order, please, the Minister of Financial Institutions.

Mrs Cunningham: It just throws them to the wolves.

"Car Insurance Policy Change a Nightmare for the Disabled." I totally object to having to go to the numbers of meetings that I have gone to where the form letters are sent back to members of the disabled communities by ministers of this government about the auto insurance plan. For heaven's sake, this is important to them, as it is to everybody else. They should answer the letters

when they are sent to them and put a little personal paragraph in and try to tell them the truth. Members should see the responses that we are getting.

"No-Fault Insurance Proposal Faulted in Hamilton Petition," which all of us have looked at and read, I hope. **"No-Fault Is No Joke,"** and it is no joke, although when you take a look at some of the members in this Legislative Assembly, members of the government, you wonder if it is not just a joke.

The easiest thing in the world to say to someone is, "Under the old plan supplementary medical care and rehabilitation, you only got \$25,000." Mr Speaker, do you know what you had to do to get that \$25,000? You had to hire a lawyer and you had to almost go to court, but you did not get the \$25,000 without working and spending an awful lot of money to get it.

Hon Mr Elston: But you don't have to under this plan, do you, Dianne?

The Deputy Speaker: Order, please.

Mrs Cunningham: Mr Speaker, what do you think you are going to have to do to get \$500,000? Do you know how many years people wait for \$25,000? Literally years now. How long do you think you are going to have to wait for \$500,000? It is up to the government to answer that question, I will tell you right now.

Hon Mr Elston: Read the bill. The companies have 10 to 30 days to respond.

The Deputy Speaker: Order, please.

Mrs Cunningham: The minister can stop laughing. The funny thing about this particular minister is he will not be laughing after the next election—we will make sure of that—not because of his ability to work hard, because he does work hard, but he takes this stuff too lightly for my thinking. This is not a joke, and I am very, very disappointed in someone I have high regard for, even though he takes it as a joke. But I do not think the public will. I am only one vote and he does not live in my riding so he should not look to me to get elected next time.

Hon Mr Elston: It is not a joke. I have been answering all your questions. You haven't read the bill, Dianne. If you would read it—

The Deputy Speaker: Would the Minister of Financial Institutions please—

Mrs Cunningham: I am really getting to him. He has not shut up since I have started talking, Mr Speaker.

Hon Mr Elston: That's because you haven't said anything correct. I can't let the record show all of this stuff.

The Deputy Speaker: Would the interjections please stop? Standing orders provide a certain amount of time after the speech for the comments of other members, not during the speech. The member will, of course, always address her remarks through the Speaker.

Mrs Cunningham: I am trying just to look at you, Mr Speaker. It is much easier to do that and very pleasant.

This is a letter from someone I consider somewhat of an expert. "I have been a supporter of the Liberal government on both a provincial and federal level for the past 15 years." I want to tell you, Mr Speaker, threats would not worry me if I were a Liberal right now either; they really would not. I do not think we are all here because we should be worried about winning the next election. That is not the point that I would support.

But I would like to go on and say this: "However, as a result of the provincial government's plans to introduce legislation to amend the Insurance Act to deprive individuals of their rights,"—that is what we are really talking about here, depriving individuals of their rights—"I am seriously reconsidering my political allegiance." They still have a chance, all right?

"I feel it is incumbent on you"—this is to me. You can imagine the kind of letters I am getting as a result of this government's action. People do get mixed up every once in a while. It is hard to forget some days that the Conservatives are not still in power at Queen's Park, so I get these letters.

Interjection.

Mrs Cunningham: I will tell the member it will not be long. "I feel it is incumbent on you, as a member of the opposition, to advise the general public of the impact of this legislation and of the detrimental effect it will have on them." Incumbent upon me. I guess he has given up, because he showed me a copy of the responses he did get from the Liberals he wrote to. So it is up to me now, and that is what I am trying to do.

"It is also incumbent on the opposition to seriously criticize the approach which this government has taken in attempting to sell this legislation to the public." And sell it it is, I must say, but they have not bought it. They are attempting to sell it, but the public has not bought it.

Mr D. W. Smith: Has the writer got a QC after his name?

Mrs Cunningham: Just hold on. Public hearings, open mind, no marching orders. I think

we learned our lesson on that two summers ago. Okay.

Listen to this one, Mr Speaker. "Their efforts to link these amendments to the increased punishment of speed limit infractions on the 401 is appalling," and it is. We are talking about automobile insurance, what you get for what you pay for. We are talking about people's lives and families' lives. Because the government knew that this piece of legislation was so bad, it linked it to everything else to confuse the public. People saw through it. The press did not even write about it. All you had to do was go to that press conference where it was announced and you could see this feeble attempt to confuse people. "The two have absolutely nothing in common."

"This legislation takes away, arbitrarily and without justification, the right of injured persons to pursue their remedy in the courts. To deny the right to an innocent victim to be fully compensated for his loss of income and for pain and suffering in all but the most catastrophic injuries is a step backward by a government which purports to be a champion of the rights of the individual." They do, and that is what they say: "Individual rights. We'll take care of you. We care about the family. Let's take a look at community-based services. We care about front-line workers." All of those things the rest of us care about as well, but this government especially purports to be a champion of the rights of the individual.

"Furthermore, to take that step in light of two expensive studies commissioned by the government,"—the last week we know how much this government loves expensive studies and consultants' report, do we not?—"which clearly indicated that a no-fault scheme would not result in premium savings to the public, is indicative of the government's total disregard for the public it purports to serve. This is clearly a government that does what it wants when it wants."

I am sure, given that particular threat or particular threatening observation, because the person is so distraught, that this government will try to change its image. I think if I were to look at a comparison of the tort system in proposed legislation, the effects on the innocent victim that were presented at a seminar—by the way, I think by rather objective people; in fact, most of them happen to be Liberals unfortunately, but a lot of people were Liberals last time around and I am sure they will change very quickly. It is very disappointing to know where they put their vote. I am sure of where the vote is going next time, at least in my particular constituency.

1750

Here is the first example: a 35-year-old homemaker, no children at home. In the proposed plan, the total received would be \$14,430. If anyone wants the details of this, I would be happy to leave them. I do not think that to go on reading this line by line helps anyone. What we are talking about here are all the medical expenses in the proposed plan, no allowance for pain and suffering, receiving \$185 a week for 78 weeks and they get \$14,430.

Under the old tort system, "Receives no-fault benefits of \$70/wk for 12 weeks," because that is all they really needed it for; "payment for all medical expenses" paid for separately, not part of the system; "damages for pain and suffering," which was the big one, "\$20-\$25,000," and goes on to receive \$23,340 compared to \$14,000. So we are looking at something in the proposed plan of cutting the settlement in half.

For a 35-year-old, married, part-time employee under the proposed plan, in the case I have, the total received would be some \$12,000 and under the old system some \$38,100. We go on under the proposed plan and the total received—this is a 35-year-old employed carpenter's helper earning \$400 a week, married, with two children—is that he would have some \$24,900 compared to \$54,000. I guess I could go on and on.

What we are saying is that the proposed plan would give them at the very most in all of these cases, which are legitimate cases that have been followed through, some 15 of them—what they really get, if they get anything at all, is about one third to one half of what they could get under the present system.

I have to tell the government that if you deserved what you got under the present system, and except in a very few cases that have been brought to our attention by members of this government none of us has been told otherwise, I think it had better tell us what was really wrong. We hear about it but I have not seen it documented; I am not sure if you have, Mr Speaker.

Most of us hear about the extreme cases. I can tell members how some of them are reported and what the families really get. We have read some 14 of them where the headlines are "\$9 Million to This Family," "\$14 Million to This Family," "\$6 Million to This Family." What they are really looking at are structured payments of \$500,000 to some \$2.2 million that are reported in the press as \$6 million, \$9 million and \$15 million.

Therefore, the public has been deceived by what has been settled in the past. I am not arguing that there may not have been some that were inappropriate, but I think attitudinally the public thought there was a lot more wrong with the former system than there really was. What we should be doing is taking a look at what was wrong and fixing it, not just revamping this whole system so that it is open-ended and the only people who can really benefit from this and can sue, where appropriate, are people who are very badly injured, and not those—at this point in time anyway from any of the discussions I have had with the ministry people—who has been damaged mentally and cannot work as a result of his injury. They cannot even sue.

I have said it before and I will say it again: Physicians are going to be relied on heavily. Instead of providing the medical help and assistance and care and research that we have trained them for, they will be spending far too much of their time involved in whether someone can or cannot sue.

I have to tell members that given the information we have so far, nothing justifies this total overhaul of the system.

I really hope the government will take very seriously the letters it gets on behalf of constituents for a couple of other reasons. I am sure all members are aware of some of the real problems in this new system that have to be looked at. I think an example of one of the citizens who contributes rather significantly to the quality of life in our community would be the example of the school teacher. School teachers have substantial sick pay plans. Sick pay has to be used up before the no-fault insurance pays anything.

Suppose the injury keeps the teacher off work for six months. He uses up his six months accumulated sick pay and gets nothing in no-fault benefits. After he gets back to work, he misses time because of the flu, a heart attack or any of the many illnesses we all must be concerned about. He has used up all his accumulated sick pay because of an accident that was someone else's fault and he gets no pay during his absence from work due to sickness. That is an example. It

is a reality and the teachers will probably come and tell us about it.

What it does not say in this inclusive document is that if you use that sick time up in the last few months of your full-time employment, or if you are forced to retire because of your accident, you give up your retirement gratuity as well. It is only based on the number of sick days you have been able to accumulate. The government has some problems there that it is going to have to deal with.

Everybody knows about students and homemakers. I will just deal with the homemakers because like a student, a homemaker is entitled to a weekly benefit of \$185 only if as a result of her injury she is unable to perform all or substantially all of her normal activities, and like a student, she will have to be virtually bedridden to qualify. What about the homemaker who is unable to perform half of her normal activities? This is not unusual. She gets nothing under the plan. She has to hire someone to help with the housework or with the children. She cannot claim that expense from anyone. If she is put in hospital and her husband has to stay home from work, she cannot claim.

I think that whole issue, if the government wishes, can be clarified. It is certainly the information I have. I expect that if I have made any wrong statements today someone will advise me, because it is certainly the information I have been giving my constituents. At the same time, I have been asking them for positive responses to this piece of legislation because I think there probably is some advice that they, given their own experiences, will be able to advise the government on.

Mr Speaker, I am looking at the time and I will take your guidance on whether I should continue now or whether I should ask for you to consider adjournment of the House. I have a number of other points to make.

The Deputy Speaker: You want, rather, to adjourn the debate, do you not?

On motion by Mrs Cunningham, the debate was adjourned.

The House adjourned at 1758.

ERRATUM

No.	Page	Column	Line	Should read:
75	4292	1	29	member for Burlington South. It brought out a lot

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

MINISTERIAL SPENDING

277. Mr Sterling: Would the Minister of Industry, Trade and Technology indicate how much money has been spent during the past four fiscal years on computers for his ministry; what portion of these funds were for design and consultation and what portion for implementation; to whom were funds paid; and would the minister table the studies prepared justifying the expenditure of these funds? [Tabled 10 July 1989]

See sessional paper 234.

RESPONSE TIME

301. Mr McCague: Would each minister indicate the average time required to respond to a letter addressed to the minister from the time it is received in his/her ministerial office to the time it is answered? [Tabled 17 July 1989]

See sessional paper 232.

TIMBER MANAGEMENT

316. Mr Wildman: Will the Minister of Natural Resources provide a complete breakdown of ministry expenditures for the hearings on the class environmental assessment for timber management, in the form provided on 1 December 1988 during 1988-89 estimates of the ministry, and which will include: (1) expenditures for 1988-89; (2) expenditures thus far in 1989-90, and (3) cumulative totals of all expenditures since 1986-87? [Tabled 19 October 1989]

See sessional paper 233.

INTERIM ANSWERS

317 to 319. Mr Sterling-Hon Mr Scott: The ministry requires additional time to prepare the responses. The responses will be submitted on or about 30 March 1990.

RESPONSES TO PETITIONS

WASTE MANAGEMENT

Sessional paper P-33, re landfill sites in Mississauga.

Hon Mr Bradley: The Ministry of the Environment concurs with the petitioner's call for the continuation and intensification of the search for alternatives to landfill sites as they are presently operated.

The ministry is fully committed to the three Rs of waste management—reduction, reuse and recycling—and has already achieved a significant reduction in the amount of waste going to landfills through its municipal recycling support programs. There are now over 1.7 million blue boxes in use across the province, with participation levels increasing rapidly.

In order to maintain and increase this momentum, the minister announced on 10 March 1989 a series of provincial initiatives that will result in the diversion from landfill and incineration of 25 per cent of the province's household and commercial-industrial waste by 1992 and 50 per cent by the year 2000. The initiatives are as follows:

(a) The government will put its own house in order. This includes purchasing policies supporting markets for recycled projects and restrictions on nonrecyclable-nonreusable goods within government.

(b) Recycling regulations will be introduced in order to make the three-Rs activities mandatory.

(c) The government will also introduce legislation that will enable the ministry to withhold certificates of approval for waste management facilities unless the three-Rs diversion is built into the front end of these activities.

(d) The province will urge all municipalities to charge true cost tipping fees for waste received at treatment and disposal facilities.

(e) The blue box recycling program will be extended to apartment dwellers. Additional products such as mixed plastics, boxboard and corrugated cardboard will be recycled.

(f) The ministry's research advisory committee will provide government assistance to research and develop new and innovative three-Rs technologies and markets.

(g) A hotline will be installed to offer telephone assistance to the public on technical matters such as interpretation of regulations, funding, technical data, etc.

(h) Ministry technical staff trained in waste reduction and recycling technologies will be available to visit plants and municipalities to offer on-the-spot information and recommendations.

Through these initiatives, and with the continued participation of the public, the municipalities and the private sector, the province will significantly reduce the need for landfill and incineration and will achieve a sustainable waste

management system that can be carried over into the next century.

AUTOMOBILE INSURANCE

Sessional paper P-35, re Ontario Motorist Protection Plan.

Hon Mr Ward: The merits of the various options for insurance product reform were thoroughly investigated by the government in the creation of the plan. Most of the recommendations respecting enhanced benefits for injured motorists made by Mr Justice Osborne as well as

his proposals for tort reform have been incorporated into the plan. In addition, the report of the Ontario Automobile Insurance Board provided invaluable data for the detailed design of the plan, including the form of threshold no-fault system proposed and the dispute resolution mechanism.

We are confident that the Ontario Motorist Protection Plan does constitute a responsible and sound initiative that will benefit the majority of our motorists and accident victims in the future.

ALPHABETICAL LIST OF MEMBERS*
(130 seats)

Second Session, 34th Parliament

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

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- | | |
|--|---|
| Adams, Peter (Peterborough L) | Epp, Herbert A. (Waterloo North L) |
| Allen, Richard (Hamilton West NDP) | Eves, Ernie L. (Parry Sound PC) |
| Ballinger, William G. (Durham-York L) | Farnan, Michael (Cambridge NDP) |
| Beer, Hon Charles , Minister of Community and Social Services (York North L) | Faubert, Frank (Scarborough-Ellesmere L) |
| Black, Hon Kenneth H. , Minister of Tourism and Recreation (Muskoka-Georgian Bay L) | Fawcett, Joan M. (Northumberland L) |
| Bossy, Maurice L. (Chatham-Kent L) | Ferraro, Rick E. (Guelph L) |
| Bradley, Hon James J. , Minister of the Environment (St Catharines L) | Fleet, David (High Park-Swansea L) |
| Brandt, Andrew S. (Sarnia PC) | Fontaine, Hon René , Minister of Northern Development (Cochrane North L) |
| Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP) | Fulton, Ed (Scarborough East L) |
| Brown, Michael A. (Algoma-Manitoulin L) | Furlong, Allan W. (Durham Centre L) |
| Bryden, Marion (Beaches-Woodbine NDP) | Grandmaître, Bernard C. (Ottawa East L) |
| Callahan, Robert V. (Brampton South L) | Grier, Ruth A. (Etobicoke-Lakeshore NDP) |
| Campbell, Sterling (Sudbury L) | Haggerty, Ray (Niagara South L) |
| Caplan, Hon Elinor , Minister of Health (Orillia L) | Hampton, Howard (Rainy River NDP) |
| Carrothers, Douglas A. (Oakville South L) | Harris, Michael D. (Nipissing PC) |
| Charlton, Brian A. (Hamilton Mountain NDP) | Hart, Hon Christine E. , Minister of Culture and Communications (York East L) |
| Chiarelli, Robert (Ottawa West L) | Henderson, D. James (Etobicoke-Humber L) |
| Cleary, John C. (Cornwall L) | Hošek, Chaviva (Oakwood L) |
| Collins, Hon Shirley , Minister without Portfolio (Wentworth East L) | Jackson, Cameron (Burlington South PC) |
| Conway, Hon Sean G. , Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L) | Johnson, Jack (Wellington PC) |
| Cooke, David R. (Kitchener L) | Johnston, Richard F. (Scarborough West NDP) |
| Cooke, David S. (Windsor-Riverside NDP) | Kanter, Ron (St Andrew-St Patrick L) |
| Cordiano, Joseph (Lawrence L) | Kerrio, Vincent G. (Niagara Falls L) |
| Cousens, W. Donald (Markham PC) | Keyes, Kenneth A. (Kingston and The Islands L) |
| Cunningham, Dianne E. (London North PC) | Kormos, Peter (Welland-Thorold NDP) |
| Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC) | Kozyra, Taras B. (Port Arthur L) |
| Curling, Alvin (Scarborough North L) | Kwinter, Hon Monte , Minister of Industry, Trade and Technology (Wilson Heights L) |
| Daigeler, Hans (Nepean L) | Laughren, Floyd (Nickel Belt NDP) |
| Dietsch, Michael M. (St Catharines-Brock L) | LeBourdais, Linda (Etobicoke West L) |
| Eakins, John F. (Victoria-Haliburton L) | Leone, Laureano (Downsview L) |
| Edighoffer, Hon Hugh A. , Speaker (Perth L) | Lipsett, Ron (Grey L) |
| Elliot, R. Walter (Halton North L) | Lupusella, Tony (Dovercourt L) |
| Elston, Hon Murray J. , Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L) | MacDonald, Keith (Prince Edward-Lennox L) |
| | Mackenzie, Bob (Hamilton East NDP) |
| | Mahoney, Steven W. (Mississauga West L) |
| | Mancini, Hon Remo , Minister of Revenue (Essex South L) |
| | Marland, Margaret (Mississauga South PC) |
| | Martel, Shelley (Sudbury East NDP) |
| | Matrundola, Gino (Willowdale L) |
| | McCague, George R. (Simcoe West PC) |
| | McClelland, Carman (Brampton North L) |
| | McGuigan, James F. (Essex-Kent L) |
| | McGuinty, Dalton J. (Ottawa South L) |
| | McLean, Allan K. (Simcoe East PC) |

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

EXECUTIVE COUNCIL

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics
Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development

Bradley, Hon James J., Minister of the Environment

Scott, Hon Ian G., Attorney General

O'Neil, Hon Hugh P., Minister of Mines

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions

Wrye, Hon William, Minister of Transportation
Kwinter, Hon Monte, Minister of Industry, Trade and Technology

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations

Caplan, Hon Elinor, Minister of Health

Fontaine, Hon René, Minister of Northern Development

Ramsay, Hon David, Minister of Agriculture and Food

Ward, Hon Christopher C., Minister of Government Services

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources

Patten, Hon Richard, Minister of Correctional Services
 Phillips, Hon Gerry, Minister of Labour
 Wong, Hon Robert C., Minister of Citizenship
 Mancini, Hon Remo, Minister of Revenue
 Wilson, Hon Mavis, Minister without Portfolio
 Offer, Hon Steven, Solicitor General
 Hart, Hon Christine E., Minister of Culture and Communications
 Beer, Hon Charles, Minister of Community and Social Services
 Black, Hon Kenneth H., Minister of Tourism and Recreation
 Morin, Hon Gilles E., Minister without Portfolio
 Collins, Hon Shirley, Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Adams, Peter, assistant to the Minister of the Environment (Peterborough L)
 Ballinger, William G., assistant to the Minister of Municipal Affairs (Durham-York L)
 Bossy, Maurice L., assistant to the Minister without Portfolio responsible for disabled persons (Chatham-Kent L)
 Carrothers, Douglas A., assistant to the Minister of Industry, Trade and Technology (Oakville South L)
 Cleary, John C., assistant to the Minister of Agriculture and Food (Cornwall L)
 Cooke, David R., assistant to the Minister of Citizenship (Kitchener L)
 Curling, Alvin, assistant to the Minister of Intergovernmental Affairs (Scarborough North L)
 Daigeler, Hans, assistant to the Minister of Revenue (Nepean L)
 Dietsch, Michael M., assistant to the Minister of Labour (St Catharines-Brock L)
 Elliot, R. Walter, assistant to the Minister of Housing (Halton North L)
 Fawcett, Joan M., assistant to the Minister of Skills Development (Northumberland L)
 Ferraro, Rick E., assistant to the Minister of Financial Institutions (Guelph L)
 Fleet, David, assistant to the Minister without Portfolio responsible for women's issues (High Park-Swansea L)
 Fulton, Ed, assistant to the Minister of Tourism and Recreation (Scarborough East L)
 Grandmaître, Bernard C., assistant to the Minister of Health (Ottawa East L)
 Haggerty, Ray, assistant to the Minister of Consumer and Commercial Relations (Niagara South L)
 Henderson, D. James, assistant to the minister responsible for the provincial anti-drug strategy (Etobicoke-Humber L)

Hošek, Chaviva, assistant to the Chairman of Management Board of Cabinet (Oakwood L)
 Keyes, Kenneth A., assistant to the Minister of Education (Kingston and The Islands L)
 Kozyra, Taras B., assistant to the Minister of Northern Development (Port Arthur L)
 Leone, Laureano, assistant to the Minister of Culture and Communications (Downsview L)
 Lipsett, Ron, assistant to the Minister of Energy (Grey L)
 Lupusella, Tony, assistant to the Minister of Government Services (Dovercourt L)
 McGuigan, James F., assistant to the Minister of Agriculture and Food (Essex-Kent L)
 Miller, Gordon I., assistant to the Minister of Transportation (Norfolk L)
 Nicholas, Cindy, assistant to the Solicitor General (Scarborough Centre L)
 Polsinelli, Claudio, assistant to the Attorney General (Yorkview L)
 Poole, Dianne, assistant to the Minister without Portfolio responsible for senior citizens' affairs (Eglinton L)
 Reycraft, Douglas R., assistant to the Treasurer and Minister of Economics (Middlesex L)
 Riddell, Jack, assistant to the Minister of Natural Resources (Huron L)
 Ruprecht, Tony, assistant to the Minister of Community and Social Services (Parkdale L)
 Smith, David W., assistant to the Minister of Correctional Services (Lambton L)
 South, Larry, assistant to the Minister of Mines (Frontenac-Addington L)
 Stoner, Norah, assistant to the Minister of Colleges and Universities (Durham West L)

STANDING COMMITTEES

Administration of justice: chair, Mr Chiarelli; vice-chair, Mr Polsinelli; members, Messrs Hampton, Kanter, Kormos, McClelland, McGuinty, Miss Nicholas, Messrs Runciman, D. W. Smith and Sterling; clerk, Douglas Arnott.

Estimates: chair, Mr McCague; vice-chair, Mr Villeneuve; members, Messrs Charlton, Cleary, D. R. Cooke, Eves, Matrondola, Miclash, Neumann, Philip and Miss Roberts; clerk, Harold Brown.

Finance and economic affairs: chair, Mr Mahoney; vice-chair, Mr Ferraro; members, Mr Carrothers, Mrs Cunningham, Messrs Daigeler, Haggerty, Ms Hošek, Messrs Mackenzie, Morin-Strom, Reycraft and Runciman; clerk, Lisa Freedman.

General government: chair, Mr Pelissero; vice-chair, Mr Furlong; members, Ms Bryden,

Messrs Charlton, Cureatz, Mrs LeBourdais, Messrs McLean, J. B. Nixon, Ms Oddie Munro, Messrs Sola and Velshi; clerk, Franco Carrozza.

Government agencies: chair, Mr McLean; vice-chair, Mrs Marland; members, Messrs Breaugh, Farnan, Fulton, Kozyra, Lupusella, J. B. Nixon, Owen, Pope and South; clerk, Harold Brown.

Legislative Assembly: chair, Mr Epp; vice-chair, Mr Faubert; members, Messrs Breaugh, Brown, Campbell, Eakins, Farnan, J. M. Johnson, Kerrio, Sterling and Mrs Sullivan; clerk, Deborah Deller.

Ombudsman: chair, Mr Velshi; vice-chair, Mr D. R. Cooke; members, Mr Bossy, Ms Bryden, Messrs Carrothers, Cousens, Henderson, MacDonald, Philip, Pollock and Mrs E. J. Smith; clerk, Franco Carrozza.

Public accounts: chair, Mr Philip; vice-chair, Mr Pouliot; members, Messrs Adams, Ballinger, Cordiano, Cousens, Curling, Leone, Miss Martel, Ms Poole and Mr Villeneuve; clerk, Tannis Manikel.

Regulations and private bills: chair, Mr Callahan; vice-chair, Mr M. C. Ray; members, Messrs Bossy, Jackson, Kanter, MacDonald, Mackenzie, Morin-Strom, Pollock, Ruprecht and Tatham; clerk, Lisa Freedman.

Resources development: chair, Mr Laughren; vice-chair, Mr Wildman; members, Messrs Dietsch, Fleet, Lipsett, Mrs Marland, Messrs McGuigan, Miller, Pouliot, Riddell and Wiseman; clerk, Lynn Mellor.

Social development: chair, Mrs O'Neill; vice-chair, Mrs Fawcett; members, Mr Allen, Mrs Cunningham, Messrs Elliot, Grandmaitre, Henderson, Jackson, R. F. Johnston, Keyes and Mrs Stoner; clerk, Todd Decker.

SELECT COMMITTEES

Education: chair, Mr Campbell; vice-chair, Mr Mahoney; members, Messrs D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Miclash, Mrs O'Neill, Ms Poole and Mr Villeneuve; clerk, Tannis Manikel.

SPECIAL COMMITTEE

Parliamentary precinct: co-chairs, Hon Mr Edighoffer and Mr Epp; members, Messrs Breaugh, Reycraft and Sterling; clerk, Smirle Forsyth.

*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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